



**Governor's Commission on Disabilities
Legislation Committee Minutes
Monday, January 6, 2014
3:00 PM - 4:30 PM**

John O. Pastore Center, 41 Cherry Dale Court,
Cranston, RI 02920-3049
(voice) 401-462-0107 (fax) 462-0106 (tty) via RI Relay 711
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	<p>Attendees: Linda Ward (Chair.); Jack Ringland (Vice Chair.); Rosemary C. Carmody; Nicole Bucka; Linda Deschenes; & Arthur M. Plitt Absentees: Sharon Brinkworth; Joseph Cirillo; Regina Connor; Heather Daglieri; Julie DeRosa; Timothy Flynn; Casey Gartland; Elaina Goldstein; Kathleen Heren; William R. Inlow; Paula Parker; Meredith Sheehan; Msgr. Gerard O. Sabourin; Angelina Stabile; & Dawn Wardyga</p>
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	<p>Invited Guests: Steve DeToy, RI Medical Society Staff: Bob Cooper</p>
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	<p>3:00 Call to Order and Acceptance of the Minutes, Linda Ward, Chair Chair calls the meeting to order at 3:12 Introductions of Commissioners and guests</p>
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	<p>Potential MOTION: To accept the minutes of the previous meeting as presented Motion moved by CG, seconded by JR, <i>passed unanimous</i></p>
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Action Items:

	<p>3:05 2014 Legislative Package, Bob Cooper, Executive Secretary 1) Purpose/Goal: To solicit ideas for improving coordination of early intervention evaluations, transition from early intervention to special education, and improving awareness among parents and health care providers.</p>
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No comments received from Kids Count, Department of Human Services - Early Intervention {bduhamel@ohhs.ri.gov}; Department of Health - Special Needs, RIPIN, & Department of Education.
 The RI Medical Society is willing to host meeting of parents and pediatricians.

	<p>2) Purpose/Goal: To review comments on legislative proposals to improve Transit funding and services: a) Maintain the existing RIPTA/RIde service areas; b) Provide 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.</p>
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1 It is enacted by the General Assembly as follows:

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

5 **39-18.1-2. Legislative findings.** -- The general assembly finds that:

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

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

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

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

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

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

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

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

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

37 **39-18.1-3. Definitions.** -- When used in this chapter:

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

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

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

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

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

47 ^{add} (6) "Authority" means the Rhode Island public transit authority, established by chapter 18 of title
48 39 of the general laws of Rhode Island. ^{add}

49 ~~39-18.1-4. Rhode Island highway maintenance trust fund created~~ ^{delete} ^{add} Rhode Island
50 highway maintenance and public transit trust fund created ^{add}. -- (a) There is hereby created a special
51 account in the intermodal surface transportation fund as established in section 31-36-20 that is to be
52 known as the Rhode Island highway maintenance account ^{add} and Public Transit ^{add} Trust Fund.

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

(1) There is imposed a surcharge of ~~thirty dollars (\$30.00)~~ ^{add} forty dollars (\$40.00) 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, ~~and~~ ~~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 ~~fifteen dollars (\$15.00)~~ and ^{add} twenty dollars (\$20.00) 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, ~~and~~ ~~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, ~~and~~ ~~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 ~~thirty dollars (\$30.00)~~ ^{add} forty dollars (\$40.00) 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, ~~and~~ ~~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.

	No comments received from RIPTA, Coalition for Transportation Choices, and other interested parties regarding draft legislation.
	MOTION: To support the introduction of An Act Relating To Public Utilities And Carriers -- Public Transit Investment, as presented Motion moved by CG, seconded by AP, passed Abstain LD
	3) Purpose/Goal: To review comments on the reintroduction of S 2013-092 to restore the right to medically necessary brand name drugs without requiring two generic failures before allowing brand name

2013 -- S 0092

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

1-1 SECTION 1. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service
1-2 Corporations" is hereby amended by adding thereto the following section:

1-3 **27-19-70. Coverage for prescription drugs.** -- (a) Every individual or group health
1-4 insurance contract, or every individual or group hospital or medical expense insurance policy,
1-5 plan, or group policy issued for delivery, or renewed in this state on or after the enactment of this
1-6 section that provides coverage for prescription drugs shall not require an insured to use, prior to
1-7 using a brand name prescription drug prescribed by a licensed prescriber, any alternative brand
1-8 name prescription drugs or over-the-counter drugs.

1-9 (b) Health insurance contracts, plans or policies to which this section applies may require
1-10 an insured to use, prior to using a brand name prescription drug prescribed by a licensed
1-11 prescriber, a therapeutically equivalent generic drug, unless, pursuant to sections 5-19.1-19, 5-37-
1-12 18.1 and 21-31-15(b), the prescriber indicates "brand name necessary" on the prescription form,

1-13 [or if the prescriber gives oral direction to that effect to the dispensing pharmacist.](#)
 1-14 SECTION 2. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
 1-15 Corporations" is hereby amended by adding thereto the following section:
 1-16 **[27-20-66. Coverage for prescription drugs.](#)** -- (a) [Every individual or group health](#)
 1-17 [insurance contract, or every individual or group hospital or medical expense insurance policy,](#)
 1-18 [plan, or group policy issued for delivery, or renewed in this state on or after the enactment of this](#)
 1-19 [section that provides coverage for prescription drugs shall not require an insured to use, prior to](#)
 1-20 [using a brand name prescription drug prescribed by a licensed prescriber, any alternative brand](#)
 2-1 [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.

	<p>Review comments from RI Medical Society, and other interested parties regarding reintroduction of S 2013-092 An Act Related To Insurance - Coverage For Prescription Drugs.</p> <p>RI Medical Society supports reintroduction. The Society will be focused in 2014 on Schedule II Prescription Drugs (Controlled Substances - high addictive value but some medical value) monitoring the use - to track multiple prescribers.</p>
	<p>MOTION: To support the reintroduction of S 2013-092 An Act Related To Insurance - Coverage For Prescription Drugs as presented</p> <p>Motion moved by JR, seconded by CG, passed Abstained LD</p>
	<p>4) Purpose/Goal: To review comments on the:</p> <ul style="list-style-type: none"> a) Affordable Care Act Medicaid Expansion and referrals to the Sherlock (Medicaid Buy-In) Plan and b) Definition of "therapeutic employment".

**Details for Regulation Section 1373:
 The Sherlock Plan: Medicaid for Working People with Disabilities Program (7577)**

Agency: Executive Office of Health and Human Services
 Pastore Complex, Louis Pasteur Building

Regulation Authority: Chapter 40-8 of the Rhode Island General Laws, as amended

Purpose and Reason

The amendments to the Medicaid Code of Administrative Rules (MCAR) seek to accomplish the following: 01.To describe the new income standard that will be used to determine access to coverage for the ACA expansion group beginning on January 1, 2014; 02.To amend existing Medicaid rules to provide for persons participating in Medicaid prior to January 1, 2014; 03.To identify the principal roles and responsibilities of the Medicaid agency and the State with respect to persons seeking eligibility for the new ACA expansion coverage group; and 04.To inform Rhode Islanders of their rights and responsibilities when seeking Medicaid eligibility as a member of the new ACA or existing coverage groups during this same period.

Type of Filing: Amendment

Status: Effective from 12/31/2013
Will Supersede [6741](#)

Notice and Hearing Dates

Notice Date: 10/29/2013
Hearing Date: 12/03/2013

Introduction

These rules, **Section 1373 of the Medicaid Code of Administrative Rules entitled, “The Sherlock Plan – Medicaid for Working People with Disabilities Program”** are promulgated pursuant to the authority set forth in Rhode Island General Laws Chapter 40-8 (Medical Assistance), including Public Law 13-144; Title XIX of the Social Security Act; Patient Protection and Affordable Care Act (ACA) of 2010 (U.S. Public Law 111-148); Health Care and Education Reconciliation Act of 2010 (U.S. Public Law 111-15); Rhode Island Executive Order 11-09; and the Code of Federal Regulations 42 CFR Parts 431, 435, 436 *et. seq.*

Pursuant to the provisions of §42-35-3(a)(3) and §42-35.1-4 of the General Laws of Rhode Island, as amended, consideration was given to: (1) alternative approaches to the regulations; (2) duplication or overlap with other state regulations; and (3) significant economic impact on small business. Based on the available information, no known alternative approach, duplication or overlap was identified and these regulations are promulgated in the best interest of the health, safety, and welfare of the public.

1373. The Sherlock Plan – Medicaid for Working People with Disabilities Program

1373.01 Overview

Program Description

The Sherlock Plan – Medicaid for Working People with Disabilities Program is an SSI-related categorical eligibility group comprised of working adults with disabilities pursuant to the Balanced Budget Act of 1997 (42 USC section 1396a(a)(10)(ii)(XIII)). People eligible under this category are entitled to the full scope of Medicaid benefits, home and community-based services, and services needed to facilitate and/or maintain employment. Participants may be required to pay a premium in order to remain active on the program.

1373.02 Program Eligibility

To be found eligible for the program of Working People with Disabilities, a person must:

- Be at least eighteen (18) years of age; and
- Currently meet the Medicaid requirements for eligibility based on a disability. Individuals meeting this disability requirement are not required to meet the provision that a person be unable to engage in substantial, gainful employment; and
- Have proof of active, paid employment such as a pay stub or current quarterly U.S. Internal Revenue Service (IRS) tax statement (for those who are self-employed).

- Have countable earned net income no greater than 250% of the FPL. Countable income is defined as the total earned income remaining after all SSI-related disregards are applied; and
- Have countable assets no greater than \$10,000 (individual) or \$20,000 (couple). Medical savings accounts or retirement accounts are not counted as a resource; approved items that are necessary for an individual to remain employed are also not counted as a resource (i.e., wheelchair accessible van).

1373.03 Income Limits

Financial eligibility is defined as countable net income equal to or less than two hundred fifty percent (250%) of the Federal Poverty Level (FPL). Countable income for purposes of establishing program eligibility excludes any unearned income and is defined as the total earned income remaining after all SSI-related disregards are applied.

The SSI-related disregards listed in EOHHS Code of Administrative Rules, Section 0364 are applied, including a \$20 per month General Income Exclusion, and including impairment related work expenses as defined in the Code of Federal Regulations, 20 CFR, Section 416.976. Participants in this program will be defined as a family size of one (1) for financial eligibility purposes. Therefore, only the income of the individual seeking to participate in the Program will be reviewed and counted in income calculations.

1373.04 Resources Limits

The following resource limits apply to applicants for and participants in the Working People with Disabilities Program:

<i>Resource Limits</i>	
Individual	\$10,000
Couple	\$20,000

When calculating available resource amounts for a married couple, the resources of both the individual accepted into the program and his/her spouse must be determined available and applied to the resource limit of \$20,000.

The following resources are not countable for this program:

1. IRS recognized medical savings accounts or retirement accounts.
2. Items necessary for an individual to remain employed and/or independent (such as a specially adapted vehicle).

1373.05 Retroactive Coverage

As an SSI-related coverage group, participants in the Working People with Disabilities Program are eligible for retroactive coverage. Eligibility for retroactive coverage will be determined in accordance with the rules established in EOHHS MCAR 0310 with the following special requirement that is unique to this coverage group:

- Premiums must be paid in full before retroactive eligibility can be instituted.

Participants may deduct premium amounts from the total amount of any unpaid medical bills in the retroactive eligibility period.

1373.06 Access to Employer-Based Health Insurance

Participants in the Program who have access to employer-based health insurance are required to enroll in the plan as a condition of participation in the Medicaid buy-in program, provided that enrollment in the employer-based health insurance plan is cost-effective and its benefits are

comparable to the benefits provided by the Medicaid program. If coverage meets Medicaid requirements, Medicaid will pay the employee's share of the monthly premium. Enrollment of the individual in the employer-based health insurance plan is without regard to any enrollment season restrictions.

1373.07 Premium Rate Setting Premium Calculation

1. Once a person has been found eligible to participate in the Program as a working person with a disability, a premium will be calculated using the methodologies in EOHHS Medicaid Rules, Section 1312 pertaining to the RIte Share Premium Assistance Program. For the purposes of premium calculation the individual's and spouse's earned income will be counted. The total earned income will be income remaining after all SSI-related disregards are applied.
2. The balance of the countable earned income, together with any unearned income will be assigned premiums in amounts specified in EOHHS Medicaid Rules, Section 1312.

1373.08 Premium Collection Methods

1. **Electronic Funds Transfer (EFT)**
The participant requests that his/her bank allow the State to withdraw the monthly premium directly from the family's savings or checking account by an electronic transfer to Medicaid. The participant is given an EFT form to complete. The funds will be withdrawn by the State on the third (3rd) day of the month prior to the month of coverage. The person will be notified by letter if the EFT premium payment was not successful.
2. **Wage withholding**
The participant may request that their employer withhold the monthly premium. The employer will then pay the monthly premium to Medicaid through an EFT. The participant is given a special form requesting wage withholding and deposit or transfer to take to his/her employer to be completed and mailed.
3. **Direct Pay**
The participant pays the premium to Medicaid by check or money order every month. A premium payment coupon and pre-addressed envelope will be provided to the family before the premium is due. The check or money order and the premium payment coupon are mailed or delivered to the Medicaid fiscal agent.

1373.09 Non-Payment of Premiums

Non-payment of premiums is treated in the same manner as for RIte Share participants as detailed in the EOHHS MCAR section 1312.22.

1373.10 Loss of Employment or Eligibility

A participant in the Program who loses employment may retain eligibility, under this group, for up to four (4) months by continuing to pay the previously determined premium. If the person is still unemployed at the end of the four (4) month period, he/she will no longer qualify to participate in the Program as a working adult with a disability.

A person no longer eligible to participate in the Program may retain approved medical savings accounts and retirement account assets in the amount held on the last full day of eligibility. These medical savings account and/or retirement account assets will be considered non-countable assets for purposes of Medicaid eligibility under any other coverage group. The individual is responsible for providing verification of these account balances as of the last date of eligibility as a working adult with a disability if it is to be disregarded for other forms of Medicaid coverage.

1373.11 Available Services

Services include the full scope of Categorical Medical Assistance benefits, Home and Community Based services, including personal care services provided through an agency or through a self-directed program, and services needed to facilitate and/or maintain employment. The applicant/beneficiaries services are coordinated through the Medicaid Office and the Office of Rehabilitation Services (ORS). Long-term care services and supports are listed in EOHHS Code of Rules, Section 0399.

Services to maintain and support employment shall be determined and approved through an assessment of need utilizing a state approved assessment instrument. Authorized personal care services may be provided in the home, workplace or other necessary setting (i.e., physician office).

1373.12 Severability

If any provisions of these regulations or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of these regulations which can be given effect, and to this end the provisions of these regulations are declared to be severable.

	<p>No comments received from HealthSourceRI, RI Medical Assistance Program and other interested parties. BC reported on very good meeting with Governor Chafee on December 13th regarding employment of people with disabilities. Executive action is needed, rather than legislation</p>
	<p>5) Purpose/Goal: To review comments on the reintroduction of 2012 -- H 7237 to restore the Neighborhood Opportunities Program funding and create a supportive housing program.</p>

2012 -- H 7237

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.

1 (3) Administer the programs pertaining to housing resources that may be assigned by state law. -
2 The commission shall have the power and duty to administer programs for housing,
3 housing services, and community development, including, but not limited to, programs pertaining to:
4 (i) Abandoned properties and the remediation of blighting conditions.
5 (ii) Lead abatement and to manage a lead hazard abatement program in cooperation with the
6 Rhode Island housing and mortgage finance corporation.
7 (iii) Services for the homeless.
8 (iv) Rental assistance.
9 (v) Community development.
10 (vi) Outreach, education and technical assistance services.
11 (vii) Assistance, including financial support, to non-profit organizations and community
12 development corporations.
13 (viii) Tax credits that assist in the provision of housing or foster community development or that
14 result in support to non-profit organizations performing functions to accomplish the purposes of this
15 chapter.
16 (ix) The Supportive Services Program, the purpose of which is to help prevent and end
17 homelessness among those who have experienced long-term homelessness and for whom certain
18 services in addition to housing are essential. State funding for this program may leverage other
19 resources for the purpose of providing supportive services. Services provided pursuant to this
20 subsection may include, but not be limited to: assistance with budgeting and paying rent; access to
21 employment; encouraging tenant involvement in facility management and policies; medication
22 monitoring and management; daily living skills related to food, housekeeping and socialization;
23 counseling to support self-identified goals; referrals to mainstream health, mental health and
24 treatment programs; and conflict resolution.
25 ^{add}(x) The neighborhood opportunities program, the purpose of which shall be to address the
26 housing and revitalization needs of the state's deteriorating neighborhoods. The neighborhood
27 opportunities program shall provide financial assistance to implement the following three (3)
28 components:
29 (A) The family affordable housing program, the purpose of which shall be to produce an additional
30 supply of housing units at rents affordable to families working at or near minimum wage. State
31 funding will leverage other resources for the production of housing, to create mixed income housing,
32 and to revitalize neighborhoods through the rehabilitation of existing substandard units.
33 (B) The permanent supportive housing program, the purpose of which shall be to produce
34 additional housing for disabled individuals to be coupled with services and case management to
35 stabilize homeless individuals in permanent housing at affordable rents for persons receiving
36 supplemental social security income (SSI).
37 (C) The neighborhood revitalization program, the purpose of which shall be to provide grants to
38 local communities for renovation, demolition, and homeownership opportunities in neighborhoods
39 designated for revitalization.
40 SECTION 2. There is hereby appropriated out of a dedicated funding stream of money in the
41 treasury appropriated for the fiscal year 2012-2013, the sum of 12.5 million dollars (\$12,500,000) for
42 the purpose of carrying out the provisions of this act, and the state controller is hereby authorized to
43 draw his or her orders upon the general treasurer for the payment of said sum, or so much thereof as
44 may be from time to time required, upon receipt by him or her of properly authenticated vouchers.
45 SECTION 3. At the general election to be held on the Tuesday next after the first Monday in
46 November 2014, there shall be submitted to the people for their approval or rejection the following
47 proposition:
48 "Shall the action of the general assembly, by an act passed by the January 2014 session
49 authorizing the issuance of bonds, refunding bonds, and temporary notes of the State of Rhode
50 Island in the amount of seventy-five million dollars (\$75,000,000) to provide funds to the housing
51 resources commission to be allocated to finance the cost of the neighborhood opportunities program
52 be approved, and the issuance of such bonds, refunding bonds, and temporary notes in accordance
53 with the act be authorized?"^{add}

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

	No comments received from the RI Coalition on the Homeless, RI Housing Resource Commission, RI Housing, and other interested parties on the reintroduction of 2012 -- H 7237 An Act Related State Affairs And Government -- Rhode Island Housing Resources Act of 1998.
	MOTION: To support the reintroduction of 2012 -- H 7237 An Act Related State Affairs And Government -- Rhode Island Housing Resources Act of 1998 as presented Motion moved by CG, seconded by JR, passed Abstained LD
	<p style="text-align: center;">General Assembly Deadlines</p> <ul style="list-style-type: none"> • All bills and resolutions shall be filed no later than February 13, 2014 • No public bill which originated in the House/Senate shall be considered by a House/Senate committee unless the committee has held a hearing on that bill by April 10, in the case of 2014
	<p><i>4:25 Agenda for the Next Meeting, Linda Ward</i></p> <p>Purpose/Goal: To set the agenda for the next meeting.</p> <p>Discussion: The Legislation Committee meetings in 2014 will be on the 1st Monday 3 - 4:30 PM: 02/03rd; 03/03rd; 04/07th; 05/5th; 06/02nd; 07/07th; 08/04th; 09/08th; 10/27th; and 12/01st.</p>
	MOTION: To adjourn at 4:40 PM Motion moved by CG, seconded by JR, passed unanimously
	<i>4:30 Adjournment, Linda Ward</i>
	MOTION: To adjourn at 4:24 Motion moved by AP, seconded by CG, <i>passed</i>