

Agenda



Executive Committee

Wednesday November 16, 2005 4 to 5:30 PM

Governor's Commission on Disabilities

John O. Pastore Center (Formerly the Howard Center)

41 Cherry Dale Court

Cranston, RI 02920

(voice) 401-462-0100 (tty) 462-0101 (fax) 462-0106

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

(website) www.disabilities.ri.gov

Secretary:

Bob Cooper

Attendees:

Paul Choquette (Chair); John McDonald (Vice Chair); Judi Drew; Binyamin Efreom; Ronald McMinn; & Bill Nieranowski

Guests:

New Commissioners: Jeanne Behie; Sharon Brinkworth; Karen O'Connell-Lyons; & Lorna Ricci

Excused:

Rosemary Carmody; Regina Connor; Vicki Ferrara; Timothy Flynn; Scott Greco; & Paul Grenon

Agenda topics

4:00 PM

Call to Order

Paul Choquette, Chair

Discussion: Call to order at 4:05 PM

MOTION: To accept the minutes of the previous meeting, as mailed RMcM/BN passed unanimously

4:05 PM

Presentation on State Sexual Harassment Procedures

Geraldine Iadevaia, Principal EEO Officer

Geraldine Iadevaia reviews the state and federal Sexual Harassment laws, policies and procedures. Members asked a series of questions regarding their role as the "supervisor" – i.e. the Executive Committee functioning as the Commission's Personnel Committee.

MOTION: To Disseminate the Commission's Sexual Harassment Guidelines, but including as contact persons, the Executive Secretary and the State ADA Coordinator members of the Executive Committee who attended today's presentation (The reference to Executive Order 95 should be changed to Order 05-01) , the chair shall send a letter to each staff member with the guidelines attached JD/BN passed unanimously

4:30 PM

Orientation of New Commissioners

Committee Chairs/Vice Chairs and Staff

Discussion: The chairs and vice chairs reviewed

5:25 PM

Other Business

Paul Choquette

RI Medicaid Buy-In Regulations

Discussion: Executive Secretary briefed the Committee on a meeting DHS hosted on Nov. 9th to discuss their proposed Amendment to the State of Rhode Island's Medicaid State Plan relative to the Program for Working Adults with Disabilities. Also attending the meeting were the Director of the RI Disability Law Center, representatives from the Office of Rehabilitation Services, the former chair of the State Rehabilitation Council, the Director of Rhodes to Independence, Representative Naughton, DHS Acting Director Lebel, and the Managers of the State's Medicaid Program.

The Executive Secretary recommends the Commission proposed the following changes:

0373 WORKING ADULTS WITH DISABILITIES

EFF:01/2006

373.3035 PROGRAM DESCRIPTION

EFF:01/2006

The Working Adults 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)). Those eligible under this category will be entitled to the full scope of Categorical Medical Assistance benefits, but will be required to pay a premium in order to remain active on the program.

373.3035 PROGRAM ELIGIBILITY

EFF:01/2006

To be found eligible as a working adult with a disability, a person must:

- o Be at least eighteen (18)years of age ; and
- o Currently meet the Medical Assistance requirement for disability. Those individuals meeting the disability requirement are not required to meet the provision that a person be unable to engage in substantial, gainful employment; and
- o Have proof of active, paid employment such as a pay stub or current quarterly IRS tax statement (for those who are self-employed); and
- o Have countable net income no greater than two hundred fifty percent (250%) of the Federal Poverty Level (FPL). Countable income is defined as the total income remaining after all SSI related disregards are applied; and

- o Have countable assets no greater than \$10,000 (individual) or 20,000 (couple)
 1. Countable assets do not include IRS recognized medical savings accounts or retirement accounts.
 2. Countable assets do not include items (such as a specially adapted vehicle) necessary for an individual to remain employed and /or independent.

0373.10.05—PROGRAM ~~ELIBILITY~~ ELIGIBILITY —INCOME

EFF:01/2006

When calculating income, all SSI-related disregards as listed in DHS Policy Section 0364 are applied and

IRS recognized impairment-related work expenses. Impairment-related work expenses are expenses:

Examples:

Ms Garcia, who is blind, uses a reader to do assist her at work. She uses the reader both during her regular working hours at her place of work and outside her regular working hours away from her place of work. The reader's services are only for her work. Her expenses for the reader would deducted before caluclating her income to determine if she is eligible for this program.

Mr. Bahi', who is hard of hearing, uses real-time captioning when he attends staff meetings and trainings for work. The captioner's services are only used for work. His expenses for the captioner would deducted before caluclating her income to determine if she is eligible for this program.

Mrs. DelSanto, who has low vision, uses a taxi to get to and from work. Only the expense of her work-related taxi rides would be deducted before caluclating her income to determine if she is eligible for this program.

Participants in this program will be defined as a family size of one (1) for financial eligibility purposes.

Only the individual's income will be reviewed and counted in income calculations.

EFF:01/2006

RESOURCE LIMITS

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 their spouse must be determined available as a resource and applied to the resource limit of \$20,000.

**373.3035 ■ ■ 衛 PROGRAM ELIGIBILITY ELIGIBILITY -
RETROACTIVE COVERAGE**

EFF:01/2006

As an SSI-related coverage group, participants in the Working Adults with Disabilities Program are eligible for retroactive coverage. Eligibility for retroactive coverage will be determined in accordance with the rules established in DHS Policy Section 0310 with the following exception particular to this coverage group:

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

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

EXAMPLE: Mr. Jones has an unpaid medical bill in his retroactive eligibility period that totals \$1,500. His premium is \$100. He may assume responsibility for the first \$100 of the \$1,500 unpaid medical bill thereby leaving \$1,400 to be considered for Medical Assistance coverage.

0373.15 INDIVIDUALS WITH DISABILITIES WHO HAVE ACCESS TO EMPLOYER-BASED HEALTH INSURANCE

[Reserved]

0373.1520 PREMIUM RATE SETTING

EFF:01/2006

Once a person has been found eligible as a working person with a disability, a premium will be calculated using the following methodology:

- 0 All unearned income over the Medically Needy Income Limit (MNIL) will be owed as a monthly premium;

373.□ Countable earned income will be assigned premiums in the following amounts:

Countable Earned Income:	Premium:
Between 100% and 149% FPL	\$ 42.00
Between 150% and 184% FPL	\$ 62.00
Between 185% and 199% FPL	\$ 82.00
Between 200% and 250% FPL	\$100.00

Example 1: Joe has unearned income that equals 150% of the FPL and countable earned income of 50% of the FPL. His premium (based on 2004 rates) is calculated at \$1,163 minus the MNIL of \$667 for a premium of \$496.00. Because his countable earned income is below 100% of the FPL, he does not pay a portion of earned income toward his premium.

Example 2: Jane has unearned income equaling 50% of FPL and countable earned income equaling 150% of the FPL. Because her unearned income is below the MNIL, none of her unearned income is applied toward her premium. However, she will owe a monthly premium of \$62.00 based on her countable earned income.

0373.2025 PREMIUM COLLECTION METHODS

EFF:01/2006

Electronic Funds Transfer (EFT):

The eligible individual requests that their bank allow the state to withdraw the monthly premium directly from the family's savings or checking account by an electronic transfer to DHS. The person is given an EFT form to fill out. 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.

Wage withholding:

The recipient may request that their employer withhold the monthly premium. The employer will then pay the monthly premium to DHS through an EFT. The employed person is given a special form requesting wage withholding and deposit or transfer to take to his or her employer to be completed and mailed.

Direct Pay:

The individual pays the premium to DHS 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 DHS fiscal agent.

Non-payment of Premiums:

Non-payment of premiums is treated in the same manner as for RiteCare and RiteShare participants as detailed in policy section 0349.10.20.15.05.

0373.2530 PREMIUM EXCEEDING COST OF CARE

EFF:01/2006

In the event that paid claims are less than the collected premium amount, the full difference will be refunded to the individual.

0373.3035 -LOSS OF EMPLOYMENT OR ELIGIBILITY

EFF:01/2006

A person who loses employment may retain eligibility, under this group, for up to four (4) months by paying a premium equal to the sum of all of their unearned income over the MNIL. If the person is still unemployed at the end of the four (4) month period, he/she will no longer qualify as a working adult with a disability.

A person no longer eligible as a working adult with a disability may retain approved medical savings accounts and retirement account assets in the amount held on the last full day of eligibility as a working adult with a disability. These medical savings account and/or retirement account assets will be considered non-countable assets for purposes of medical assistance 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 future medical assistance eligibility.

Potential MOTION: To submit comments to the RI Department of Human Services in regards to the Proposed Adoption of Rules; Regulations, Policies, Procedures and other Material Relating to the Administration of the Following Programs: Medical Assistance Program Medical Assistance State Plan, Title XIX – An Amendment to the State of Rhode Island’s Medicaid State Plan relative to the Program for Working Adults with Disabilities, as proposed RMcM/JD passed unanimously

Review of Tentative 2006 Meeting Schedule

Discussion: Committee members discussed alternative dates for 2006 Annual Meeting; Wednesday Sept. 6th or Thursday 7th, rather than Saturday Sept. 9th, the matter will be taken up at the Commission Meeting Nov. 21, 2005.

RI Governor's Commission on Disabilities

DRAFT 2006 Public Meeting Schedule

Unless otherwise noted all meeting will be at the Commission's Office

John O. Pastore Center - 41 Cherry Dale Court, Cranston, RI 02920-3049
401-462-0100, tty: 462-0101, fax: 462-0106, email: disabilities@gcd.ri.gov
website: www.disabilities.ri.gov

Meeting times/dates subject to change.

Commission

Responsible for: Setting policy for the commission, recommending the Commission's budget, and adopting an operational plan, connecting the different elements within the Commission.

Meets: 5:00 PM Monday; 02/06, 04/03, 07/17, & 11/06 and
Annual Meeting: 5 PM Wednesday 09/06, 5 PM Thursday 09/07 or Saturday 09/09 @ 9:00 - 1:30 PM

Accessibility Committee

Responsible for: Increasing access to government provided (or funded) services by people with disabilities, through the removal of environmental and /or communication barriers.

Meets: 2:30 PM Monday; 01/23, 03/20, 05/15, 06/26, 09/18 & 11/20

Disability Business Enterprise Committee

Responsible for: Enhancing the competitiveness of businesses owned by people with disabilities, rehabilitation agencies, and businesses where people with disabilities provide 60 % of the labor.

Meets: 9:00 AM Wednesday; 01/11, 02/08, 03/08, 06/14, 10/11

Disability Parking Committee

Responsible for: Improving the enforcement of disability parking laws through monitoring of state/local enforcement efforts.

Meets: 11:00 AM Thursday; 02/09, 03/09, 04/06, & 05/11

Election Assistance Committee

Responsible for: Overseeing the Election Assistance for Individuals with Disabilities: develop training modules to be used by election officials and poll place workers to better prepare them to meet a variety of voter needs; recruit people with disabilities to serve as trained poll workers; and/or serve, on an as-needed basis, as advisors to the Commission, the RI Disability Law Center, Secretary of State's Election Division, and the State Board of Elections' ongoing attempts to ensure polling site accessibility and greater participation by people with disabilities in the electoral process.

Meets: 9:00 AM Wednesday; 01/25 03/22, 05/24, 07/26, 09/27 & 11/29

Employment Committee

Responsible for: Overseeing implementation of the Human Resource Investment Council's Promoting Work Grant and the provision of training and technical assistance regarding the employment provisions of the ADA.

Meets: 9:00 AM Thursday; 01/26, 03/30, 05/25, 7/27, 9/28, & 11/30

50th Anniversary Planning Committee

Responsible for: Planning and Coordinating 50th Anniversary Events Oct. 23, 2006 - Oct. 23, 2007

Meets: __:__0 __M __day;

Hearing Board

Responsible for: Conducting hearings and: issuing findings and corrective action orders regarding disability discrimination pursuant to RIGL 42-87-5(b); granting leased facility accessibility waivers pursuant to RIGL 37-8-15.1(b); and accepting open meeting transition plans pursuant to RIGL 42-46-13(f).

Meets: As needed, upon the receipt of: disability discrimination complaints; leased facility accessibility waiver requests; or open meeting transition plans.

Information and Assistive Technology Committee

Responsible for: Promoting the design and use of accessible information technology and providing assistive technology to people with disabilities who are: employees of state agencies; students enrolled at state operated schools and colleges; or clients/residents of state operated programs/services.

Meets: 2:30 PM Wednesday; 01/18, 03/15, 05/17, 07/19, 09/20 & 11/15

Legislation Committee

Responsible for: Developing legislation that improves the quality of life of people with disabilities, getting enacted into law that legislation and ensuring that legislation that is harmful to people with disabilities is not enacted into law.

Meets: 3:00 PM Monday; 01/09, 02/13, 03/13, 4/10, 05/08, 06/12, 07/10, 09/11, 10/16 & 12/04; Public Forums in various locations throughout the state the week of: 07/24 - 07/28

State Coordinating Committee on Disability Rights

Responsible for: Coordinating compliance with disability rights laws throughout state government.

Meets: 4:00 PM Tuesday; 02/28, 05/23, 09/26 & 11/28

Executive Committee

Responsible for: Managing the Commission's operations, preparing budget, selecting fellows, and addressing personnel issues.

Meets: 4:00 PM Wednesday; 01/25, 06/21, 08/23 & 09/13

Adjournment at: 6:00 PM