



Governor's Commission on Disabilities' Executive Committee

Monday October 29, 2007 4 – 5:30 PM

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

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

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

Attendees:	John MacDonald (Acting Chair); Regina Connor; Judi Drew; Binyamin Efreom; Kate McCarthy-Barnett; Bill Nieranowski; & Patricia Ryherd
Excused:	Rosemary Carmody; Timothy Flynn; Ron McMinn; John Treat
Absent:	

----- Minutes -----

Call to Order and Acceptance of the Minutes	, Chairperson	5 min.
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Introductions: Chair called the meet to order at 4:03 PM.

MOTION: To accept the minutes of the previous meeting as presented BE/PR passed unanimously

Action Items:	Discussion Leader:	Time:
1. Report on Budget Office Meeting on the Department of Advocacy	John MacDonald	20 min.

Discussion: The 5 agencies are all concerned about their autonomy and by in large they don't see any benefits to their agencies or their constituencies from the creation of a Department of Advocacy.

The Department of Administration interprets the Budget Article as requiring the Governor to submit as part of his FY 2009 Budget, the Department of Advocacy.

The Budget Office/Department of Administration is open to proposals regarding the structure of the Department. It doesn't have to "save money" if it increases effectiveness and doesn't have to have a department director.

The different agencies do not appear to have overlapping responsibilities.

It's possible that if different questions had been asked; the agencies might have seen some benefit.

1. In RIFANS:

- a. Who "initiates" transactions?
 - i. Requisitions
 - ii. Invoices
 - iii. General Ledger (internal transfers)
- b. Who "approves" transactions?
- c. Is it the same person?
- d. Could the initiator do more agency mission oriented activities if the initiating was centralized?

<ol style="list-style-type: none"> 2. In the Golden Payroll system: <ol style="list-style-type: none"> a. Who records the biweekly attendance? b. Who “approved” the attendance submission? c. Could the attendance recorder do more agency mission oriented activities if the recording was centralized? 3. Commission/Council/Committee minutes: <ol style="list-style-type: none"> a. Who takes notes during committee, etc. meetings? b. Who “transcribes” those notes into minutes? c. Could the minute’s taker do more agency mission oriented activities if the minutes were taken by a common clerk stenographer and then reviewed by the agency staff? 		
2. Preparing recommendations for the Commission – re: “ten ideas which involve working with the other advocacy agencies”	John MacDonald	50 min.
Discussion: See below the cover letters from the other 4 agencies and the attached Excel workbook that contains a consolidated spreadsheet on budgets and personnel of the agencies and the “overview spread sheets” from all 5 agencies.		

State of Rhode Island and Providence Plantations

OFFICE OF THE CHILD ADVOCATE

JOHN O. PASTORE CENTER

Louis Pasteur Bldg., 4th fir.

57 Howard Ave.

Cranston, RI 02920

TEL:(401)462-4300

FAX: (401) 462-4305

TTY 711

October 9, 2007

Rosemary Booth Gallogly

Executive Director/State Budget Officer

Department of Administration

One Capitol Hill

Providence, Rhode Island 02908

Re: Advocacy Agency Consolidation

Dear Ms. Gallogly:

Enclosed you will find the forms describing the activities of the Office of the Child Advocate.

The most strenuous objection to the inclusion of the Office of the Child Advocate to the proposed legislation is the conflict of interest that is created with joining the OCA with any other agency. Pursuant to Professional Rules of Ethics that rule all attorneys, the OCA could not share staff with any other agency due to the potential for conflict. The legal conflicts can hinder our representation of children. This office cannot be in a department in which other entities are opposed or potentially opposed to our interest in our representation of children and the legal rights of mentally ill/developmentally disabled and/or physically disabled parents. For example, there have been conflicts of interest in our representation of children and the legal rights of mentally ill parents in Family Court suits.

In 1993, the OCA was identified by the American Bar Association as a model office in the country and was been included in a publication on legal representation of children. It is imperative that we continue to maintain our independent representation of children in the care of DCYF.

It appears that given our limited operating budget, and that of other identified agencies, the creation of another bureaucracy and cabinet level director does not appear to be a cost savings measure. Again, the issue of conflict arises if there is any consideration of placing the OCA under the jurisdiction of any Human Services agencies that deal with children.

If you have any questions, please do not hesitate to contact. Thank you for your kind attention to this matter.

Sincerely,

Jametta O. Alston, Esquire Child Advocate

JOA:ma

Enclosures

cc: Gregory Stack
Manny DelSanto



State of Rhode Island and Providence Plantations

Rhode Island Commission on the Deaf and Hard of Hearing

COMMUNICATIONS / OPPORTUNITIES / EQUALITY

Memorandum

TO: Rosemary Booth Gallogly
Executive Director/State Budget Officer

FROM: Travis R. Zeliner, Chair
Rhode Island Commission on the Deaf and Hard of Hearing

DATE: October 10, 2007

SUBJECT: Proposed Advocacy Agency Consolidation

The Rhode Island Commission on the Deaf and Hard of Hearing (RICDHH) appreciates your efforts to allow those agencies that may be impacted by a consolidation plan to have the opportunity to work with the Budget Office and to participate in an open and sincere dialogue. The Commissioners, the Commission staff and the supporters of the Rhode Island Commission on the Deaf and Hard of Hearing have been working tirelessly to review and submit our report of the Commission's work.

The Rhode Island Commission on the Deaf and Hard of Hearing (RICDHH) offers a very unique and specialized field of service and support to the Deaf and Hard of Hearing citizens of Rhode Island. It is important to recognize and to be aware that the Commission does not perform its functions as an advocacy agency alone. The Commission functions primarily as a service providing entity that serves over 10% of all of the constituents of Rhode Island with varying degrees of hearing loss. Furthermore, the 10% does not include services and requests by hospitals, medical institutions, judicial, legislative bodies, educational institutions, as well as other professional entities. Our compiled data illustrates that the Commission utilizes 85% of its allocated resources as a direct service provider and 15% go toward Advocacy. Please keep in mind that many of the people helped by the RICDHH are unable to hear and to use spoken communication. These people are dependent upon sign language interpreters.

The Deaf and Hard of Hearing constituents of Rhode Island have fought tirelessly against oppression, discrimination and neglect to protect their rights and to have established the Rhode Island Commission on the Deaf and Hard of Hearing. Hearing loss is an unseen disability, thereby falling directly under several federal laws such as ADA. It is not just a single dilemma that requires a certain remedy. The Commission offers a broad spectrum of service and support for the Deaf and Hard of Hearing, and recognition,

sensitivity, and support for Deaf and Hard of Hearing cultures, identity, direct accessibility to bilingual languages and direct service / advocacy to all persons with hearing loss, both young or old. The Commission is a leading role model and its success derives from its reputation as a one-stop resource center. Additionally, the success that is derived from the Commission's independence from other state agencies is what allows the "voice" of the Deaf and Hard of Hearing communities to be heard. There are no other state agencies that offer similar services except for the Rhode Island School for the Deaf. Bear in mind, the Rhode Island School for the Deaf only specializes in Deaf education and only for children. The Commission offers support and services to the Deaf as well as the Hard of Hearing from birth to old age.

An enormous responsibility falls on the shoulders of the Staff and its Commissioners to serve and maintain the RICDHH mission as well as complying with all ADA requirements and other federal and state relevant laws. Due to specialized needs and services expected and required, the roles and responsibilities of each staff member have been clearly streamlined to maximize efficiency. The staff cannot be cross functioned within the three FTEs at the Commission nor can they be out-sourced externally.

As I have mentioned previously, the Deaf, Hard of Hearing citizens of Rhode Island, RICDHH, and its supporters have strived tirelessly to achieve the Commissions' success and to protect their rights as deaf and hard of hearing individuals. During the Commission's creation and during its operations, there have been two attempts of planned consolidations within the state. The plans failed because of strong objections of the Deaf and Hard of Hearing communities, the realization of the unique services it provides, and due to the Commission's highly specialized services and advocacy that are unavailable any place and implementation of statute in RIGL 23-1.8 that clearly states that the RICDHH shall be independent from other state agencies or departments. Remember, this population of citizens has language barriers and they need the Commission to support them with lifelong decisions, information, and communication. They must have equal access.

We look forward to working with you and sharing our inputs with other state agencies. Respectfully,

Travis Zeline

Chairperson of RICDHH

Department of Administration Building, One Capitol Hill, Ground Level, Providence, RI 02908-5850

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Rhode Island **Developmental Disabilities** Council

October 5, 2007

Ms. Rosemary Booth Gallogly
Executive Director/State Budget Officer
State of Rhode Island
One Capitol Hill
Providence, RI 02903

Dear Director Gallogly,

On behalf of the Rhode Island Developmental Disabilities Council, I am responding to your memo dated September 19, 2007 regarding Section 11, Article 3 of the FY2008 Budget Act.

The Council is a 24-member body of volunteers appointed by the Governor; it is fully federally funded and receives no state dollars.

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The mission, as written in Federal Law the DD Assistance and Bill of Rights Act of 2000, P.L. 106-402, is to improve the lives of people with developmental disabilities so that they can become more independent, productive, integrated and included citizens of Rhode Island. The Council works towards this goal through a variety of activities outlined in the Five-Year State Plan (enclosed). The Plan is based on extensive research and identifies gaps in services and supports and develops ways to address them. Public information / education, system level advocacy activities, and individual and family level advocacy activities are examples of approaches the Council uses to address these gaps.

The Council was established in Rhode Island in 1974 and was originally part of MHRH. As the Federal Law evolved, Councils were encouraged to remove themselves from state service-providing agencies in order to strengthen their independent advocacy role, both legislatively and physically. In 1989 the Council had legislation submitted to separate it from MHRH and become its own Designated State Agency. The bill passed, and the Council was placed in the Executive Department of State government. In 1993, the Council went through a Program and Administrative Review from the Federal Administration on Developmental Disabilities, ACF, US DHHS. One of the recommendations of the audit was that the Council office (at that time in the Forand building and subsequently the basement of Barry Hall), be physically moved out of MHRH buildings first to improve physical access for Council members and others using wheelchairs, and secondly to end the confusion over and appearance that the Council was part of MHRH. In 2000, the Council voted to approve the move to our current location in the Warwick Medical Building.

From a legislative and programmatic point of view, the mission and goals of the Council, the population they service, and the manner through which those goals are achieved, are different and distinct from any other agency in Rhode Island.

The Federal Law is very detailed and clear as to the activities the Council is mandated to carry out and how the dollars are to be spent. The Council is responsible for how the budget is developed and implemented and how it is staffed, section 125 (c) (10) "The staff of the Council, while working for the Council, shall be responsible solely for assisting the Council in carrying out the duties of the Council under this subtitle and shall not be assigned duties by the designated State agency or any other agency or entity of the State."

At the present time, the Council is conducting a search for the Executive Director position, vacant since February 2007, sadly due to the death of Marie Citrone. The Council office is functioning with one professional staff person with assistance from contracted service for administrative assistance. There are no extra staff at the Council office or savings to be achieved by the proposed consolidation of the advocates into one office. To the contrary, the Council is fortunate to be functioning as well as it is with only 50% of its professional staff.

Enclosed is the information you requested. In that the operation of the Council is structured differently than the budget office (re: the examples you sent), it was not possible to list every job function that the Executive Director/Associate Director perform, with a dollar amount attached to it, or to assign a priority/ranking to some activities over others. Priority activities arise and change often, frequently on a daily basis. How much time is spent on that activity and others depends on the task, and the tasks vary all the time. I have enclosed detailed job descriptions for the two positions for your review.

If you have any questions or I can be of assistance to you, please do not hesitate to call me. Sincerely,

Christine Singleton Chairperson, Rhode Island Developmental Disabilities Council

RIDDC Executive Committee

Mary Okero, Interim Executive Director, RIDDC

Brian Stem, Chief of Staff, Governor's Office

Tim Costa, Policy Director, Governor's Office

Theo Toe, Budget Analyst

Mary Beth Greene, Program Specialist, ADD, ACF, USDHHS

Attachment: Employee List
 Impact Spreadsheet
 Organizational Structure
 Executive Director and Associate Director Job

Descriptions	Summary
Budget	FY09 Budget Request
Narrative	Federal/Restricted Account Estimates
Agency	Personnel Supplement Data

400 Bald Hill Road Suite 515 Warwick, Rhode Island 02886 Voice: 401-737-1238 (V/TDD) Fax: 401-737-3395

The Executive Secretary spoke about a conversation he had with the Director of the Department of Elderly Affairs, right after the Oct. 25th meeting. She urged him to bring together the 5 agencies to draft a proposal for the Department of Advocacy. He suggested seeking the support of both the Budget Office and the Governor's Office for the Commission to act on her suggestion.

Below is an initial draft bill that could be used to initiate the discussion amongst the 5 agencies.

SECTION 1. Title 42 of the General Laws entitled "State Affairs and Government" is hereby amended by adding the following chapter:

**CHAPTER 14_
DEPARTMENT OF ADVOCACY**

42-14_-1. Department of advocacy.

(a) There is hereby established within the executive branch of state government a department of advocacy.

(b) The department shall contain the child advocate (RIGL 42-73), mental health advocate (RIGL 40.1-5-13, et. al.), commission on deaf and hard of hearing (RIGL 23-1.8), development disabilities council (RIGL 40.1-1-9), and the governor's commission on disabilities (RIGL 42-51).

(c) The governor with advice and consent of the senate shall appoint the child advocate and the mental health advocate, as detailed in existing statutes.

(d) The governor shall appoint the members of the commission on deaf and hard of hearing, development disabilities council, and the governor's commission on disabilities as detailed in existing statutes.

42-14_-2. Powers and duties of the department.

The department of advocate shall provide fiscal, payroll, personnel and such support services to the child advocate, mental health advocate, commission on deaf and hard of hearing, development disabilities council, and the governor's commission on disabilities and those agencies determine necessary.

All agencies combined into the department shall maintain existing duties and autonomy as set forth in statutes.

42-14_-3. Assignment and reassignment of advisory bodies.

The governor may, by executive order, reassign any advisory bodies, boards, or commissions to the department of advocacy or assign any such entities that may be created.

42-14_-4. Appointment and management of support service employees.

(a) The agencies chief executive officers, subject to the provisions of applicable state law, shall jointly be the appointing authority for the fiscal, payroll, personnel and such support services employees of the department of advocacy.

(b) The joint appointing authority provided for herein subsection (a) above shall not affect, interfere with, limit, or otherwise restrict the appointing authority vested in the child advocate, mental health advocate, commission on deaf and hard of hearing, development disabilities council, and the governor's commission on disabilities for their employees under applicable general and public laws.

(c) The agencies chief executive officers shall jointly adopt policies and procedures for the provision of fiscal, payroll, personnel and support services to the agencies combined into the department.

42-14_-5. Applicability.

Nothing in this chapter shall change, transfer or interfere with, or limit or otherwise restrict the general assembly's sole authority to appropriate and re-appropriate fiscal resources to the child advocate, mental health advocate, commission on deaf and hard of hearing, development disabilities council, and the governor's commission on disabilities; the statutory or regulatory duties of the agencies, or the appointing authority for the employees of the agencies vested in the child advocate, mental health advocate, commission on deaf and hard of hearing, development disabilities council, and the governor's commission on disabilities under applicable general and public laws.

SECTION 2. Section 1 of this act shall take effect on or before January 1, 2009.

MOTION: To recommend the Commission adopt the following "ideas" involving working with the other advocacy agencies:

1. Identify & track legislation at the RI General Assembly relating to:
 - a. Children for the Office of the Child Advocate – based on criteria developed by the Child Advocate and of those bills the Child Advocate deems priorities alert the Office of the Child Advocate on hearings relating to the priority bills.
 - b. People with developmental disabilities for the Developmental Disabilities Council – based on criteria developed by the Developmental Disabilities Council and of those bills the Developmental Disabilities Council deems priorities alert the Developmental Disabilities Council on hearings relating to the priority bills.
 - c. People who are deaf and hard of hearing for the Commission on the Deaf and Hard of Hearing – based on criteria developed by the Commission on the Deaf and Hard of Hearing and of those bills the Commission on the Deaf and Hard of Hearing deems priorities alert the Commission on the Deaf and Hard of Hearing on hearings relating to the priority bills.
 - d. People with mental disabilities for the Office of the Mental Health Advocate – based on criteria developed by the Mental Health Advocate and of those bills the Mental Health Advocate deems priorities alert the Office of the Mental Health Advocate on hearings relating to the priority bills.
2. Conduct accessibility surveys of specific facilities and offer advice on barrier removal at the request of the:
 - a. Office of the Child Advocate concerning facilities under DCYF Jurisdiction
 - b. Developmental Disabilities Council concerning facilities serving people with Developmental Disabilities;
 - c. Commission on the Deaf and Hard of Hearing concerning facilities serving persons who are deaf and/or hard of hearing; and
 - d. Office of the Mental Health Advocate concerning facilities serving persons with mental disabilities.
3. Provide a meeting room for the Commission on the Deaf and Hard of Hearing or

the Developmental Disabilities Council, upon request.

4. Coordinate the Public Forums on the Concerns of People with Disabilities and their Families for its co-sponsors including the Office of the Child Advocate, Office of the Mental Health Advocate, Commission on the Deaf and Hard of Hearing, and Developmental Disabilities Council.
5. Provide staff support to disability related advisory boards (currently without staff), if the Commission is fully staffed to its authorized level of 5.6 FTEs and as permission to utilize contract clerical staff on an intermittent basis. PR/JD passed Abstain BN.

MOTION: To ask for the support of both the Budget Office & Governor’s Office for the Commission to bring together the 5 agencies to draft a proposal for the Department of Advocacy, based on the initial draft bill above and addressing the following needs:

1. In RIFANS:
 - d. Who “initiates” transactions?
 - i. Requisitions
 - ii. Invoices
 - iii. General Ledger (internal transfers)
 - e. Who “approves” transactions?
 - f. Is it the same person?
 - g. Could the initiator do more agency mission oriented activities if the initiating was centralized?
2. In the Golden Payroll system:
 - h. Who records the biweekly attendance?
 - i. Who “approved” the attendance submission?
 - j. Could the attendance recorder do more agency mission oriented activities if the recording was centralized?
3. Commission/Council/Committee minutes:
 - k. Who takes notes during committee, etc. meetings?
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 - m. Could the minute’s taker do more agency mission oriented activities if the minutes were taken by a common clerk stenographer and then reviewed by the agency staff?

BE/RC passed unanimously

3. Authorizing submission of a grant proposal on recycling	Bill Nieranowski, chair Disability Business Enterprise Committee	10 min.
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Discussion: Bill explained the current recycling pilot project. John asked why there was a need for a new grant proposal since CranstonArc has only submitted invoices for \$362 of the \$4,999 contract?

Recycling/Shredding Project Proposal

Prepared by the

Disability Business Enterprise

September 24, 2007

Governor's Commission on Disabilities

Summary

The Governor's Commission on Disabilities requests \$6,000 for a nine month recycling program for the Department of Elderly Affairs, the Commission on Disabilities and another small agency. Recycling education will be provided to the employees at each agency. Recycling bins will be distributed at various locations.

Better Shred – A Disability Business Enterprise

The Governor's Commission on Disabilities sponsors a valuable program for businesses that employ people with disabilities and rehabilitation facilities, called the Disability Business Enterprise (or DBE). It is designed to carry out the state's policy of supporting the fullest participation of small disadvantaged businesses. Currently there are over 20 businesses in the program. One of the disability businesses has confidential document destruction and recycling business called, Better Shred.

Better Shred is a document destruction business that employs people with developmental disabilities, providing secure, confidential timely destruction of materials. The mission of this business is, to become a self-sustaining, valuable and recognized part of the business community in RI and surrounding communities.

- Provide on-site storage containers
- Collection of materials to be shredded from the demonstration sites
- GPS monitored transportation of material to be shredded to the secure shredding facility
- Secure, confidential document destruction by bonded, well trained, professional employees
- Certificate of destruction
- Recycle shredded material
- Documents destroyed within 24 hours when specified, secure locked facility with video surveillance

Goals of the Project

1. To educate Rhode Island State Agencies and the Employees (Rhode Island's largest employer) about recycling.
2. To reduce the amount of waste at the landfill in Johnston.
3. To ensure that confidential documents are shredded before being recycled.

Need for Program

This project is about educating Rhode Island State agencies not only about the importance of recycling and the positive impacts recycling has on the environment, but also to educate the state employees about the different ways to recycle.

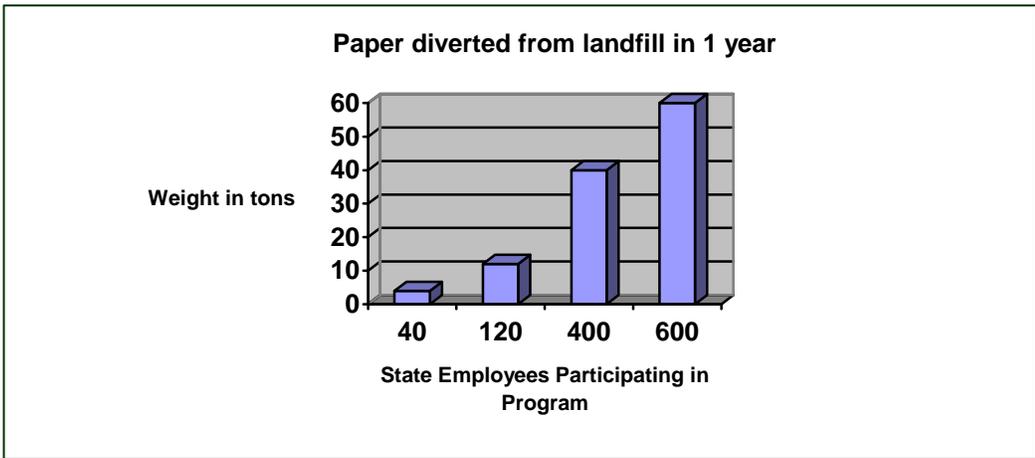
1. Cans/bottles

2. Paper
3. Shredded paper (confidential documents)

There are many state agencies that produce sensitive documents every day. Privacy issues have taken center stage in recent years. Governments and regulators around the world continue to develop legislation to help protect individuals and businesses. Many Rhode Island State employees will actually shred their own confidential documents only to throw the shredded paper in the trash. These employees need to be educated about recycling the *shredded* paper.

In a three month time period, the Governor’s Commission on Disabilities created a pilot recycling project to determine how much paper of sensitive material was collected for destruction and recycling. The paper that was collected was paper that was previously shredded and thrown in the trash and brought to the landfill. The amount of paper collected from approximately 40 state employees was 1,972 lbs or approximately 1 ton.

From the data collected so far, we can determine that the state can divert 1 ton of paper in a 3 month time period. If the program expands to include other agencies, we can estimate how much paper can be diverted to the landfill. (See chart below) If 600 state workers participated in the recycling program, there is the potential to divert over **60 tons** of paper from the landfill which can save the state thousands of dollars in just one year. If those same state employees were to recycle paper for 10 years, the amount of paper diverted from the landfill could reach **600 TONS**. We would like to request additional funding to continue with this project until June 30, 2008. Having an additional 9 months of data will allow us to have more accurate figures for our projections.



{Description of graphic – chart titled: Paper diverted from landfill in 1 year.

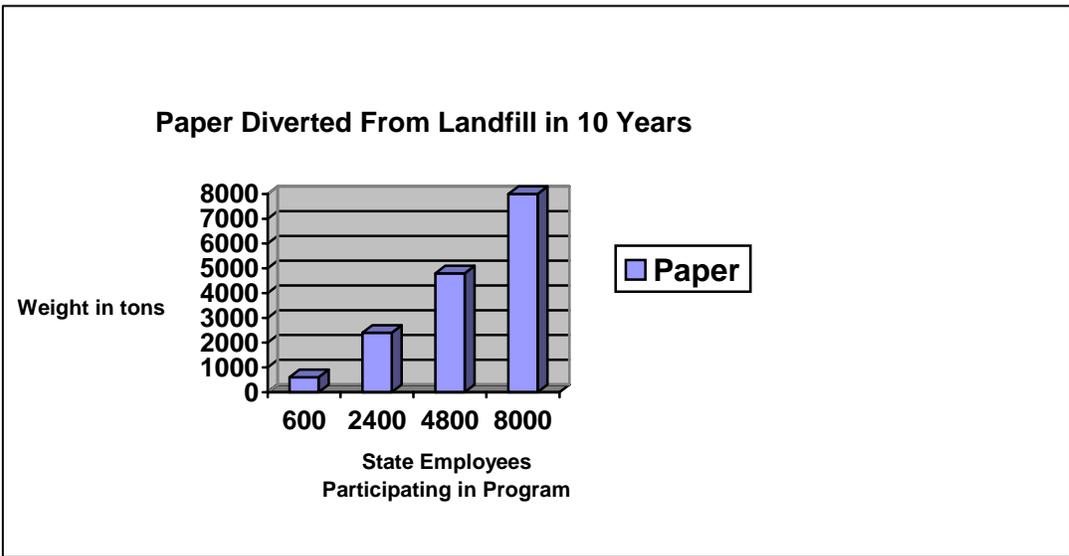
Left scale of weight in tons, bottom scale state employees participating in program.

4 bars: first bar 40 state employees = 4 tons; second bar: 120 state employees = 12 tons; third bar: 400 state employees = 40 tons; fourth bar: 600 state employees = 60 tons }

{Description of graphic – chart titled: Paper diverted from landfill in 10 years.

Left scale of weight in tons, bottom scale state employees participating in program.

4 bars: first bar 600 state employees = 600 tons; second bar: 2400 state employees = 2400 tons; third bar: 4800



state employees = 4800 tons; fourth bar: 8000 state employees = 8000 tons }

Recycling of paper and shredding services as follows:

Supply 150 lb capacity containers to destroy confidential documents.

-Department of Elderly Affairs

-Governor’s Commission on Disabilities

-Another small agency (to be determined)

No rental fees for 3 unlocked 150 lb containers.

A rental fee will apply for locked containers.

Pilot project runs from October 1, 2007 – June 30, 2008(9 months)

Two pick-ups per month

Certificate of Destruction provided to agency

Total cost: \$6,000

This item was tabled and will be added to the Commission Agenda for the Nov. 5 th meeting. Bill will research why only \$362 has been invoiced to date.		
Announcements and Scheduling of Meetings	Chairperson	5 min.
New Business – members discussed the unsanitary condition of the restrooms and other problems with the cleaning service. Last week following the Employment Committee meeting to members cleaned the first floor toilet. The Executive Secretary reported that he recently learned the person cleaning was only wiping the toilet seat and not lifting the seat to clean the bowl. PR donated cleaning supplies. The Executive Secretary will determine the ending date of the current cleaning contract and be in touch with the vendor to arrange for a job coach to accompany the cleaner.		
The next Executive Committee meeting is for interviewing and selection fellows for the Spring 2008 Semester.		
MOTION: To limit the spring semester fellowships to only the Edward J. Schroeder (Legislative) Fellowship PR/RC passed unanimously		
Next meeting will be on:	Tuesday December 11, 2007	Starting at: 4 PM
Adjournment:	Chairperson adjourned the meeting at 5:26 PM	
Resource persons:	Bob Cooper, Secretary	