

Background:

Draft minutes from the August 5, 2010, Public Policy Committee meeting are included for review.

Public Policy Committee

Agenda Item 3.

Expected Action:

The Public Policy Committee will take action to approve the minutes.

**PUBLIC POLICY COMMITTEE MEETING
DRAFT MINUTES
August 5, 2010**

Thursday, August 5, 2010

COMMITTEE MEMBERS PRESENT

Rick Tisch, Chair	Lynn Blackmore, DARS	Clare Seagraves, HHSC
Marcia Dwyer, Vice-Chair	Mateo Delgado	Amy Sharp, TX A&M
Hunter Adkins	Sandy Graham, CDS - UT	Lora Taylor
Patty Anderson, AI	Jeff Kaufmann, DADS	
Kristine Bissmeyer	Cindy Johnston	

COUNCIL MEMBER PRESENT

Brenda Coleman-Beattie, Council Chair

STAFF MEMBERS PRESENT

Belinda Carlton	Angela Lello	Lucy Walker
Cassie Laws-Fischer	Melissa Rosser	Roger Webb

GUESTS:

Olivia Donelson	Ileene Robinson
Sally Feutz	Nona Rogers
Beverly Haywood	Charleen Searight
Rachel McClure, Texas Association of Centers for Independent Living	Katherine Yoder, Governor's Office of Budget, Planning, and Policy
Beth Mitchell, Advocacy, Inc.	Les Young
Sandra Reeves	

CALL TO ORDER

The Public Policy Committee convened on Thursday, August 5, 2010, in the Big Bend Room of the Hyatt Regency Austin, 208 Barton Springs Road; Austin, TX 78704. Committee Chair Rick Tisch called those present to order at 2:01 PM.

1. INTRODUCTION

Committee members, staff and guests were introduced.

2. PUBLIC COMMENTS

The Committee received public comments from eight individuals:

- Charleen Searight has a daughter at the Austin State Supported Living Center. She opposed the proposal to support a moratorium on admissions to State Supported Living Centers (SSLCs), where residents are watched and kept safe.
- Nona Rogers, who has a brother in a SSLC who is aging, stated her opposition to a moratorium on admissions to SSLCs. She commented that SSLCs provide an option for individuals who may not be ready to live in the community and encouraged the committee to preserve that choice for families.
- Ileene Robinson stated that individuals with developmental disabilities who live in the community do not always receive monthly breast cancer screenings, whereas individuals who live in the SSLCs have the opportunity for monthly breast exams. She recommended that the Council to work with Susan B. Komen or other organizations to detect breast cancer for individuals with disabilities.
- Rachel McClure, Texas Association of Centers for Independent Living, invited Council members and staff to attend the Invest in Community rally and press conference on September 1, 2010, at the Texas Capitol. The events will support direct services and personal care attendants as well as expanding home and community programs by stopping cuts to health and human services programs.

- Olivia Donelson, whose son is a former resident at Travis State School and now lives at Austin SSLC. She is happy with the care he has received at both facilities and supports choice for individuals with disabilities and is opposed to implementing a moratorium on new admissions at SSLCs.
- Beverly Haywood has a sibling living at Austin SSLC who is now 78 and has lived there since he was a young man. She believes this is the best place for her sibling. She believes that everyone should have the same choice that her family had and is grateful to the State of Texas for supporting these centers.
- Sandra Reeves has a son at a SSLC and spoke in opposition to the proposed moratorium on SSLC admissions. She disagrees with the proposal that the state should strive to achieve the national average for enrollment in state supported institutions because Texas is much larger than the average state. She also expressed concern that a change in SSLC admission policy would make it difficult for family members to visit their loved ones.
- Chair Tisch distributed written comments from Marjorie Heaton who wrote in opposition to a moratorium on admissions to SSLCs.

The Chair offered Committee members an opportunity to address public comments. Lora Taylor expressed her support for Ms. Robinson's suggestion that the council look into helping ensure that individuals with disabilities receive proper health screenings.

3. APPROVAL OF MINUTES

Tisch asked for corrections or additions to the minutes of the May meeting.

MOTION: To approve the May 6, 2010, Committee meeting minutes as presented.

MADE BY: Lora Taylor

SECOND: Kristine Bissmeyer

The motion **passed** with abstentions from Marcia Dwyer.

4. 2010 BIENNIAL DISABILITY REPORT UPDATE

The Committee received an update from Public Policy Director Angela Lello regarding the preparation of the 2010 Biennial Disability Report. TCDD entered into a Memorandum of Understanding (MOU) with the Department of Aging and Disability Services (DADS) to use contact information of people who are on the interest lists for Home and Community-Based Services (HCS) and Community Living Assistance and Support Services (CLASS) waiver programs. TCDD contracted with the University of Texas survey department who refined a survey instrument developed by staff and converted it into a SCANTRON form. The results of the survey will be presented to the Committee in November. Staff may draft additional recommendations for the Biennial Disability Report based on survey results. The Council will make final decisions about recommendations at the November meeting.

5. REVISIONS TO TCDD POSITION STATEMENTS

The Committee discussed TCDD's Position Statements on Access to Healthcare and Community Living. The Committee recommended Council approval of revisions to both Position Statements.

MOTION: To recommend Council approval of the **Access to Healthcare** Position Statement with the revisions as presented.

MADE BY: Lora Taylor

SECOND: Mateo Delgado

The motion **passed** without opposition.

MOTION: To recommend Council approval of the **Community Living** Position Statement as with the revisions as presented, removing the word “parental” from the third paragraph.

MADE BY: Amy Sharp

SECOND: Patty Anderson

The motion **passed** with Lora Taylor opposed and abstentions by Lynn Blackmore, Jeff Kaufmann and Clare Seagraves

6. PUBLIC POLICY ITEMS

A. 82nd Legislative Session

The Committee received an update on the 82nd Legislative Session from Public Policy Director Angela Lello. Lello asked Committee members to specify the issues they would like to advocate on themselves during the 82nd Legislative Session. Committee Chair Tisch informed members that they would be called upon to provide legislative testimony, meet with legislators, and write newspaper editorials with staff support.

B. Moratorium on Admissions to State Supported Living Centers

The Committee received a briefing from Beth Mitchell, Advocacy, Inc. (AI), regarding AI's recommendation for a moratorium on admissions to State Supported Living Centers (SSLCs). Mitchell outlined the events leading to the U.S. Department of Justice's civil rights investigation of all Texas SSLCs and highlighted concerns brought forth in the Monitoring Reports issued by the monitoring teams assessing each SSLC. Committee members discussed the issues identified in the reports and the ramifications of a state-imposed moratorium on admissions to SSLCs. Jeff Kaufmann (DADS) indicated that many of those now being admitted to SSLCs have complex medical and/or behavior needs, and the majority of recent admissions are a forensics population. Most Committee members agreed it important to hold admissions of additional individuals until the state can assure the individuals are not at significant risk of harm or abuse. Members also felt it important to clarify that the state should provide other appropriate alternatives for individuals who might otherwise seek SSLC admission, including the HCS waiver program diversion slots funded by the 81st Legislature.

MOTION: To recommend that the Council support and join with Advocacy, Inc., and other disability organizations in a call for a moratorium on admissions to the State Supported Living Centers.

MADE BY: Kristine Bissmeyer

SECOND: Mateo Delgado

The motion **passed** with abstentions by Lynn Blackmore, Clare Seagraves, Jeff Kaufmann, Mateo Delgado, Lora Taylor and Amy Sharp.

C. Public Policy Priorities

The Committee discussed TCDD 2011-2012 Public Policy Priorities and provided staff guidance about specific areas of concern for the 2011 legislative session. Committee members discussed special education diplomas, special education training for teachers, and Early Childhood Intervention in addition to concerns on possible cuts in services as a result of the anticipated revenue issues. The Committee also discussed the effect of implementing a more narrow issue focus in the State Plan on the Council's public policy advocacy activities.

D. Texas Revenue Coalition

Public Policy Specialist Belinda Carlton reviewed with the Committee information about the Texas Revenue Coalition to explore the Committee's position on revenue matters. Committee members expressed an interest in learning more about the coalition and other coalitions that may be formed to specifically address state budget issues.

E. Federal Issues

Carlton provided an overview to the Committee of the implementation of the recently passed federal healthcare reform measure. Committee members discussed issues related to the Medicaid program, including timely provider reimbursement rates and the general impact of Medicaid expansion on the state's fiscal outlook and ability to serve individuals with developmental disabilities. The Committee also received an update on other federal policy issues from public policy staff.

7. PUBLIC POLICY REPORT

Committee Chair Tisch reviewed the Public Policy Report with the Committee and discussed recent public input provided by Public Policy Staff.

8. PUBLIC INFORMATION REPORT

Committee Chair Tisch reviewed the Public Information Report with the Committee and discussed requests for specific materials from TCDD and other outreach activities.

9. ADJOURN

There being no further business, Tisch adjourned the meeting at 4:54 PM.

MOTION: To adjourn the meeting

MADE BY: Lora Taylor

SECOND: Cindy Johnston

The motion **passed** without opposition.

Roger A. Webb
Secretary to the Council

Date