



TCDD

Texas Council for
Developmental Disabilities

Public Policy Priorities

2023-2024

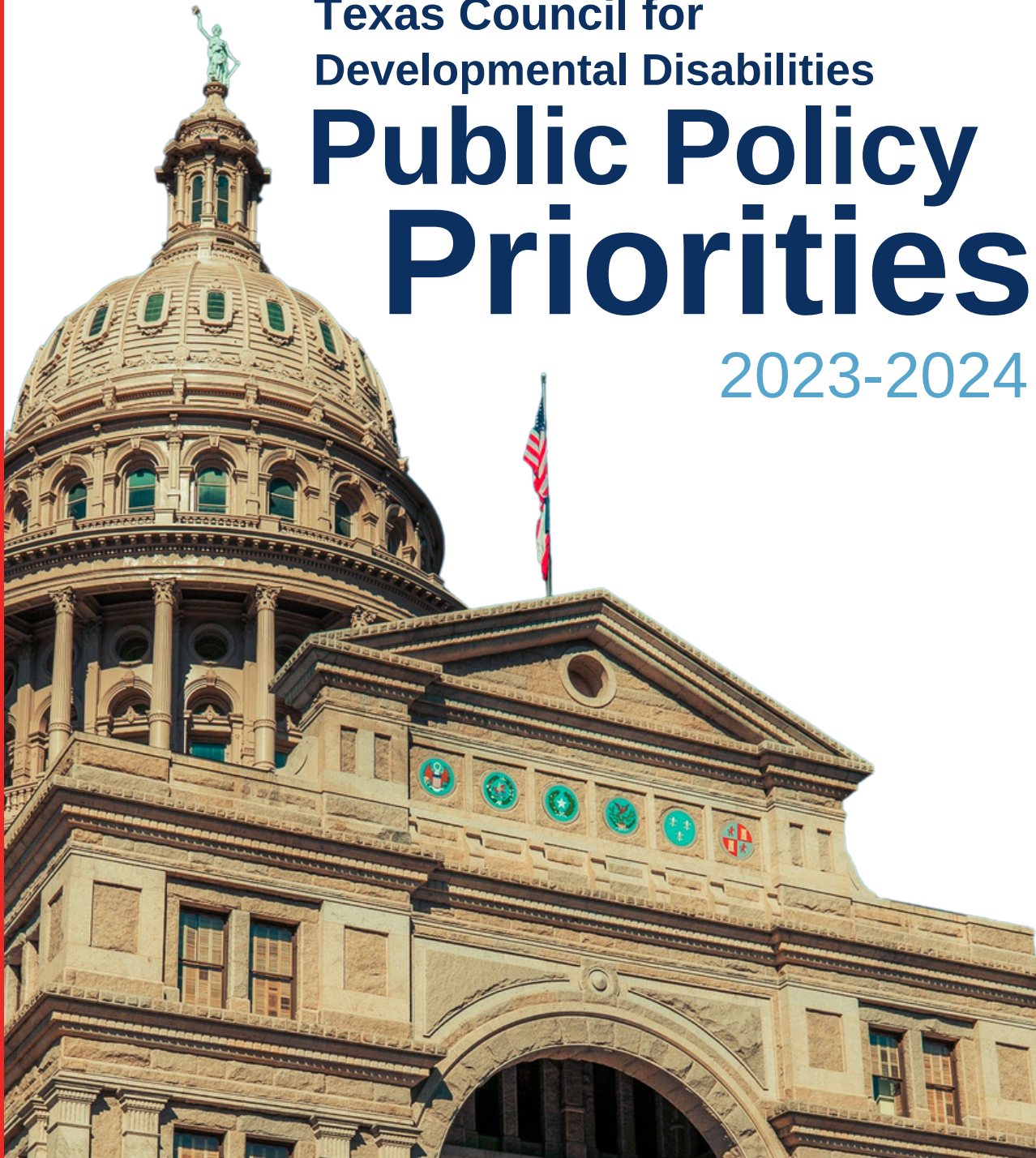




Table of Contents

About the Texas Council for Developmental Disabilities 3

Personal and Civil Rights 4

Accessibility 6

Early Childhood and Inclusive Education 8

Employment 10

Health and Safety 12

Funding for Services 14

Attendant Wages and Training 14

Get Involved 15

About the Texas Council for Developmental Disabilities



Mission Statement

Our mission is to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.

The Council

TCDD is governed by a 27-member board that includes people with disabilities, family members, and representatives from state agencies, university centers for excellence in developmental disabilities, and other organizations.

Public Policy Priorities: Personal and Civil Rights



Increase the protections for the personal and civil rights of Texans with disabilities.

Texans with disabilities deserve to understand and exercise their personal and civil rights in order to lead safe and successful lives as independently as possible, and they deserve equal protection when their rights are infringed upon.

Abuse, Neglect, and Exploitation

Standardize the definitions, investigatory processes, data collection and reporting, training, and communications across all agencies to better reduce and prevent abuse, neglect, and exploitation of people with disabilities and to hold individuals responsible and authorities accountable.

Sexual Assault

Improve systems for sexual assault survivors with disabilities to report and receive services following an assault in the community or facilities such as group homes and state supported living centers. Establish accountability measures for facilities where a sexual assault occurs, addressing assailants – whether they are employees or residents – as well as facility administration.

Restraint and Seclusion

Standardize the definitions, data collection and reporting, training, and communications across all agencies and in all settings to maximize the use of best practices and lessen the unnecessary use of dangerous restraint and seclusion procedures, including related practices such as time-out.

Personal and Civil Rights

Guardianship Practices

Strengthen person-centered approaches to guardianship by ensuring that it is a last resort. Ensure that all necessary legal protections stay in place or are strengthened for individuals who are under guardianship. Bolster accountability measures to prevent schools, medical professionals, and any other state- or federally-funded entity, directly or indirectly, from coercing families into obtaining guardianship. Revisit revocation practices to make it easier for individuals to terminate guardianship should their circumstances change in the future.

Guardianship Information Access

Require courts to educate individuals who will have a guardian what their rights will be once guardianship is established. Require courts to educate a potential guardian about the individual's rights, including mandated person-centered practices trainings before guardianship is granted and on an annual basis for the duration of their role as a guardian. Require courts to educate medical professionals who determine a medical necessity for guardianship on all support options and how each support option may work with different levels of need, as well as any other service providers that may engage in third-party guardianship arrangements that need to be educated on disability-related issues in order assist their clients. Standardize definitions between family law and probate law throughout the state.

Voting Access

Ensure Texans with disabilities have equal access to voting by establishing a more accessible and timely method for signature curing, broadening the assister's oath to better reflect the right to assistance protected under federal law, and developing an online mail-in ballot application process. Issue standardized, accessible information on the rights of voters with disabilities, and establish and enforce accountability measures for non-compliant voting locations.

Poll Watchers

Require poll watchers to be trained specifically on accessibility and disability assistance at the polls; establish and enforce accountability measures for poll watchers who violate an individual's voting rights.

Public Policy Priorities: Accessibility



Raise accessibility standards in Texas to promote community inclusion and ensure equal access.

Texans with disabilities deserve to live in communities which are accessible to them in all aspects of their lives, including meeting basic needs in places outside of the home and utilizing the various modes of transportation.

Accessible Parking

Strengthen the enforcement and increase the availability of accessible parking spaces. Address placard fraud and abuse of parking in striped spaces by revising criminal and civil penalties and improving public awareness. Develop innovative, collaborative solutions to adjust for the growing demand of accessible parking spaces as our population ages and more people acquire or are diagnosed with mobility disabilities.

Accessible Transportation

Improve the availability of safe, reliable, affordable, and accessible transportation by expanding the reach of paratransit, introducing more flexible pick-ups within those services, and securing accessible rideshare opportunities. Expand capacity in suburban, urban, rural, and unincorporated areas to connect places people live with places they work, socialize, worship, attend school, access health care, etc.

Accessibility

Home Modifications

Support the codification of the Amy Young Barrier Removal Program which provides grants to low-income individuals with disabilities to make modifications to their homes to increase accessibility and eliminate hazardous conditions.

City Planning and Development

Increase the number of people with disabilities on building, city planning and development, and architectural committees and boards. Ensure their voices are heard and their experiences are taken into full consideration to address common accessibility shortcomings such as: crosswalks and traffic signals that are too high or do not include auditory components, accessible bathrooms without adult changing stations, playgrounds that do not accommodate mobility equipment, and entry ways with inappropriately placed ramps and automatic door buttons.

Inclusive Meetings

Ensure all public meetings are fully accessible by requiring and enforcing the use of plain language and real-time captioning, and allowing participants to present comment in their preferred form of communication in public and legislative hearings. The Texas Legislature and state agencies should accept comments and testimonies in the following formats: written, spoken, audio recording, video recording, and images.



Credit: Disabled and Here

Public Policy Priorities: Early Childhood and Inclusive Education



Ensure children with disabilities ages 0-22 receive necessary services to promote healthy growth and development to support long-term success and independence.

Children with disabilities in Texas deserve access to quality care and education such as inclusive childcare, therapy and case management services, special education services, and transition planning, which meet or exceed federal standards to increase childhood and long-term outcomes.

Early Childhood Intervention (ECI) Services

Address the gaps between state funding and the required services for a growing population of infants and toddlers who enroll in ECI. Support efforts to maximize and streamline funding for ECI in Texas by working collaboratively with other state agencies, ECI programs, and lawmakers. Support efforts to increase efficiencies within ECI by addressing continuing eligibility, engaging in state-specific research on ECI's long-term impact, and ensuring families are fully educated about available services, including Medicaid waiver interest lists.

Early Childhood and Inclusive Education

Early Pickups

Require documentation for all school-initiated early pickups and shortened school days for students with disabilities, and eliminate the prevalence of unreported early pickups across the state.

Special Education Services

Ensure that students with disabilities are being supported and are receiving a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). Hold Local Education Agencies (LEAs) accountable and ensure the enforcement of the Individual with Disabilities Education Act (IDEA) and Section 504. Ensure that students with disabilities that have experienced a disruption in learning, services, or supports receive the compensatory services they are due.



Transition Planning

Increase the number of transition and employee designees (TEDs) in Texas to better accommodate the number of transition-age students in need of services. Strengthen policies and education around transition to include outcome measurements for the school and the student where the student is encouraged to take more responsibility for monitoring as they get closer to graduation. Establish and maintain accountability measures for schools who do not meet planning requirements.

Public Policy Priorities: Employment



Ensure Texans with disabilities have access to competitive and integrated employment opportunities.

Texans with disabilities deserve access to competitive and integrated employment opportunities. Texas should strictly adhere to the state-adopted Employment First Policy by addressing barriers to community-based employment by expanding training, supported employment, and opportunities for advancement, including funding Medicaid waivers that offer employment supports.

Photo Credit: Disabled and Here

Employment First

Establish an Office of Employment First housed in the Texas Workforce Commission with interagency collaboration to ensure Texans with disabilities can access technical support for navigating employment services in Texas. Require representatives from Texas Workforce Commission, the Texas Education Agency, and the Health and Human Services Commission to meet regularly under the Office of Employment First to coordinate on and stay apprised of the various transition and employment services available.

Employment

Subminimum Wage

Require all Texans of all abilities to be paid no less than the federal minimum wage.



Medicaid Waiver Income Limits

Establish a forgiveness program for individuals who earn up to \$100.00 over their Medicaid Waiver income limits irregularly and fewer than 3 months out of the year. Improve communication regarding income limits and when individuals surpass their income limit by informing waiver recipients via phone, letter, and email. In instances where a person is no longer eligible for the waiver due to income limits, provide at least 30-day notice before withdrawing services.

Day Habilitation

Fill funding gaps between Home and Community-Based Settings Rule requirements and program staff capacity. With proper funding, ensure day habilitation centers fully realize the HCBS Settings Rule and Employment First Policy by establishing requirements for programs to provide employment preparation and support such as job application submissions, financial literacy trainings, and visits to potential employers and employment support locations as community outings with program attendees.

Public Policy Priorities: Health and Safety



Ensure Texans with disabilities have equal access to and are proactively included in using all community resources designed to maintain and improve individual and public health and safety, including during public health emergencies.

Texans with disabilities deserve health care that is available, accessible, and affordable, as well as emergency planning that is responsive to their needs.

Medicaid

Strengthen the Medicaid system by utilizing evidence-based practices, providing payments that attract qualified staff, and giving timely, corrective attention to complaints and problems.

Complex Mental Health Needs

Require health care providers statewide to be educated on and incorporate emerging research and best practices in the treatment of individuals with intellectual and developmental disabilities who also have mental illness and/or substance use disorders.

Health and Safety

Plain Language

Ensure all agency communications with providers and/or people seeking or receiving services are easy to understand.

Emergency Preparedness

Reinforce the state's responsibility for requiring and assisting local jurisdictions to develop and implement public safety plans that include meeting the needs of people with disabilities in all emergencies.



Public Policy Priorities: Funding for Services



Ensure that current funding levels for vital programs that support Texans with disabilities are maintained and increased.

Texans with disabilities deserve access to services and supports that are sufficiently funded by state lawmakers.

State Budget

Ensure that the Legislature prioritizes the needs of Texans with disabilities when appropriating state funds. Maintain and increase funding levels for vital programs and supports such as Medicaid Waiver Programs, Early Childhood Intervention Services, Independent Living Services, Vocational Rehabilitative Services, Attendant Wages and others.

Attendant Wages and Training

Raise the minimum requirement for rates and wages of community attendants in Texas who work with people with disabilities, and provide training to better prepare them to meet the needs of those they assist.

Community attendants deserve fair and livable wages. Increasing attendant wages and standardizing training will reduce workforce turnover rates and provide more opportunities for Texans with disabilities to be fully included within their communities and exercise control over their own lives.

Get Involved:

Connect with TCDD



Every two years, Texas lawmakers convene for a 140-day regular legislative session. TCDD monitors their activities that could impact disability-related programs and services, and provides a list of legislative recommendations to represent and improve the lives of people with disabilities. To ensure you receive our updates regarding legislative activities, subscribe to TCDD eNews or follow us on social media. Connect with us on these or other policy issues using the contact information below.

TCDD Policy Team

Scott Daigle

Public Policy Director
Scott.Daigle@tcdd.texas.gov

Linda Logan

Senior Public Policy Analyst
Linda.Logan@tcdd.texas.gov

Lauren Gerken

Public Policy Analyst
Lauren.Gerken@tcdd.texas.gov

Sabrina Gonzalez

Public Policy Analyst
Sabrina.Gonzalez@tcdd.texas.gov

Governor-Appointed Council Members Roster as of October 2022

Mary Durham, Chair | Spring
Kimberly Torres, Vice Chair | Houston
Ronald "Ronnie" Browning | Spring
Deborah "Debbie" Carlisle | San Antonio
William "Bill" Coorsh | Houston
Gladys Cortez | McAllen
Kyle Cox | College Station
Maverick Crawford III | San Antonio
Andrew "Andy" Crim | Fort Worth
Juan Carlos Lopez | Edinburg
Scott McAvoy | Cedar Park
Amanda Miles | Alvin
Angela "Angie" Panzica | Houston
Michael Peace | Poteet
Robert Schier III | Elgin
Eric Shahid | Somerville
Meridith Silcox | Splendora
Lora Taylor | Houston
Jamie Thomas | Abilene

Agencies Represented

Disability Rights Texas
Texas Center for Disability Studies at UT Austin
Center on Disability and Development, Texas A&M
Texas Education Agency, I.D.E.A.
Texas HHSC, Title XIX Medicaid
Texas HHSC, Older Americans Act
Texas Workforce Commission, Rehabilitation Act
Texas DSHS, Title V Maternal & Child Health

