

## COMMITTEE OF THE WHOLE May 4, 2023 — MINUTES

### **Council Members Present**

Mary Durham, Council Chair  
Erica Brown, HHSC/Medicaid  
Ronnie Browning  
Debbie Carlisle  
Bill Coorsh  
Gladys Cortez  
Kyle Cox  
Maverick Crawford, III  
Elizabeth Danner, TEA  
Ivy Goldstein, DSHS  
Sean Jackson, DRTX  
Juan Carlos Lopez  
Amanda Miles  
Meagan Orsag, Texas A&M  
CDD  
Angie Panzica  
Michael Peace  
Holly Riley, HHSC/Older  
Americans Act  
Robert Schier III  
Jonas Schwartz, TWC  
Eric Shahid  
Lora Taylor  
Jamie Thomas  
Kim Torres  
Nina Zuna, TCDS

### **Council Members Absent**

Andrew Crim  
Scott McAvoy  
Meridith Silcox

### **Guests Present**

Dylan Bricker  
Brynn Briggs  
Christina Bryant  
Cordelia Daigle  
Esmerelda Garcia  
Kenny Hammond  
Ryan Hammond  
Kaili Hintz  
Rachel Hopkins  
Jonathan Jardine  
Dona Kotzur  
Linda Litzinger  
Rebecca Lopez  
Lauryn McNeil  
Christine Reyes  
McKenzie Sanchez

### **Regional Coordinators Present**

Erin Fogarty

Morgan Foster  
Rosa Guel  
Canen Melton  
Skyler Mueller  
Alexandra Venegas

### **Staff Present**

Beth Stalvey, Executive  
Director  
Kai Brewer  
Scott Daigle  
Lauren Gerken  
Sabrina Gonzalez  
Crystal Goodwin  
Genessee Klemm  
Le Lien  
Linda Logan  
Evan Marczynski  
Sylvia Medina  
Richard Rendon  
Mary Rochford  
Melanie Teague  
Brianna TenBrink  
Rey Valldejuli  
Koren Vogel

### **Call to Order**

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, May 4, 2023, at the Drury Plaza San Antonio North, 823 North Loop 1604 East, San Antonio, TX 78232 as well as virtually using the Zoom platform. Council Chair Mary Durham called the meeting to order at 9:06 a.m. A quorum was present.

1. **Introductions**

Council members, staff and guests introduced themselves.

2. **Public Comments**

The Committee of the Whole received public comments from Linda Litzinger on the Home and Community-Based Services (HCBS) transition from day habilitation to Individualized Skills and Socializations (ISS) services. She noted that she's received reports of individuals with higher levels of need who were asked to leave the ISS programs because the program could not meet the required staff to participant ratio. She noted that funding for these programs is not enough to sustain the activities and staffing. Council member Bill Coorsh added his agreement to Litzinger's comments.

Council member Kyle Cox offered comments on the income cap for Medicaid recipients which is below the federal poverty level. He noted that many individuals with complex medical conditions are forced to maintain employment below their education or skill level so that they continue to meet the income requirements. He suggested two types of Medicaid, one for low-income individuals and one for individuals with chronic health conditions.

3. **Council Member and Support Persons Codes of Conduct**

TCDD Executive Director Beth Stalvey presented draft Codes of Conduct for Council members and individuals providing support for Council members during meetings. She explained that this is a formal way to establish how members want to interact with each other and agree to those principles as a group. Stalvey noted that the Information and Technical Assistance Center for Councils (iTACC) has recommended the development of formal Codes of Conduct so members can refer back to them as they conduct business.

Stalvey reviewed the documents that were presented to members in their meeting materials. She noted that staff received input prior to the meeting asking to include language related to the extent to which members can provide personal supports to other members. The Committee conducted extensive discussion on this topic with the general consensus that while all members are generally willing to assist their colleagues, it is not their role to provide personal supports for others which can interfere with their own role to conduct Council business. Members agreed to add language to the bullet about identifying and requesting personal supports to include "in order to allow for every Council member to participate and focus fully on their Council duties and obligations".

Stalvey noted that once adopted by the Council, members and support persons will be asked to sign their acknowledgement of the Code of Conduct.

**MOTION:** To recommend Council approval of the Council Member and Support Persons Codes of Conduct with the amended language as agreed upon.

**MADE BY:** Robert Schier, II

**SECOND:** Jamie Thomas

The motion **passed** unanimously.

**4. Individualized Skills and Socializations**

Erica Brown, Council member and representative of the Title XIX/Medicaid programs at the Health and Human Services Commission (HHSC), gave a presentation on the implementation of Individualized Skills and Socializations (ISS). She provided background information on the HCBS regulations issued by the Centers for Medicare and Medicaid (CMS) in 2014 with the compliance deadline of March 17, 2023. She noted that ISS provides increased opportunities for community integration through an off-site delivery model, increased alignment between activities and individualized goals, and requires licensed providers. Objectives of this program include supporting individuals in developing self-help, socialization, and adaptive skills; providing age-appropriate activities that align with the individual's goals; enhancing self-esteem and maximizing function levels; providing personal assistance; and supporting the pursuit and achievement of employment goals – but not providing employment services. Brown provided examples of person-centered goals and the types of activities that might be included. She also offered contact information for HHSC staff working with various Medicaid Waiver programs that include ISS.

Dona Kotzur, Executive Director of the Arc of San Antonio, described the Adult Life Enrichment (ALE) program that is a licensed ISS provider. The program offers structured, person-centered activities related to skill development and gaining independence, socialization, community participation, or future volunteer and employment goals consistent with an individual's person-centered plan. Kotzur explained that an ALE participant can engage in five pillars of program activity: Social Skills and Communication Development; Independent Living; Meaningful Work and Volunteer Opportunities; Health and Wellbeing; and Arts and Culture. She provided examples of how different participants engage in these activities. Kotzur also discussed challenges in implementing the ALE program including staff comprehension of goals and outcomes, training needs, state funding of only 48% of the program cost; the direct care worker shortage, and the need for updated technology to automate daily processes.

**5. TCDD Public Policy Priorities in the 88<sup>th</sup> Texas Legislature**

TCDD Public Policy Director Scott Daigle provided an update on TCDD activities during the 88<sup>th</sup> Texas Legislature. He provided a brief refresher of how the Texas Legislature functions then discussed resources offered by TCDD during the session including weekly legislative update and “Bill of the Week” emails as well as frequent social media postings. He noted that news outlets had picked up the information provided by TCDD and used it as a basis for their reporting on disability issues and legislation. Daigle also discussed the written and verbal testimony provided by TCDD

staff on various pieces of legislation that educated lawmakers on the impact of bills being considered. Finally, Daigle discussed the collaborative activities of TCDD staff with partner organizations and other disability advocates, noting the impact of the TCDD Policy Fellows from NAMI Texas, the Epilepsy Foundation of Central and South Texas, and the Coalition of Texans with Disabilities.

Adjourn

Council Chair Durham adjourned the Committee of the Whole at 12:18 p.m.

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Beth Stalvey, Secretary to the Council    Date