



## Legislative & Public Policy (LPP) Committee Meeting Minutes

November 19, 2018 -- 10:00 AM – 12:00 PM

Chancery Conference Room Second Floor

Denver, CO 80203

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### MEETING AGENDA:

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- 1) Convene, establish quorum, introductions (Hal)
- 2) Introductions of LPPC members and members of the public (All)
- 3) Approval of October meeting minutes (Group)
- 4) Revisit Agenda
- 5) Old Business:
  - a. Review, modify and approve October 22, 2018 meeting minutes (LPPC Members)
  - b. Update on meeting with HCPF regarding the Waiver Implementation Council (Bob, Hal)
- 6) New Business
  - a. LPP Committee procedures for passage consideration today (Hal)
  - b. Structure and Operation of the Legislative/Public Policy Committee
  - c. Delegated Authority to the LPPC to Take Positions on Legislative and Public Policy for the Developmental Disabilities Council
  - d. LPP Committee procedures for future passage consideration (Hal)
    - i. Testifying Before a Committee of the Colorado General Assembly
    - ii. Incurring Obligations or Expenses and a Policy Committee Budget
  - e. 2019 Council legislative priorities DRAFT (Bob& Hal)
  - f. Federal policy and legislative updates (Bob)
- 7) Action items (group discussion)
- 8) Public Comments (group discussion)
- 9) Adjourn

Next Meeting: December 17, 2018

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## DISCUSSION:

1. Hal called the meeting to order at 10:03
2. Introductions were made.
3. **Revised Agenda:** The review and approval of the draft legislative and public policy committee policies has been withdrawn from the agenda for discussion and approval.
4. **Old business:** Minutes: Jessica made motion to approve October minutes. Hal seconded. Minutes unanimously approved.
5. HCPF Waiver Implementation Council (WIC) update:
  - Bob, Joelle, and Hal met with Bonnie Silva, the current interim director of community living within HCPF. Bonnie was willing to meet to discuss concerns about the potential that resources that people currently have in the HCBS DD Waiver (residential waiver) might be reduced as a result of waiver redesign.
  - Bob proposed that HCPF sign on to a statement that declares individuals with the HCBS DD Waivers would not lose their resources. In reply, Bonnie suggested the following statement agreed upon from HCPF management team members "It is the intent of HCPF not to have resource reduction within the HCBS DD Waiver." This seems to indicate that while HCPF is willing indicate it is their *intention* that resources will not be reduced, they are not willing to state that they will *assure* resources will not be reduced.
  - Hal identified three main concerns:
    - 1) What is and what is not in the waiver changes?
    - 2) The validity of the stakeholder process.
    - 3) Schedule states the redesign will be done in 18 months and this seems too rushed. The sculpting of the redesign will come down to what they can write.
  - The next HCPF waiver redesign stakeholders meeting will be November 28th at 1:30-4:30. These meetings are open to all and the address is: 303 East 17th Avenue, Denver, CO. A presentation by the actuarial contractor about the waiver redesign cost models they will be developing is on the agenda for this meeting.
6. New Business: There has been ongoing talk with the executive committee to help rewrite and update policy and procedures. At the most recent executive committee meeting three motions were made.
  - 1) Approving a hiatus period for the Council for non-essential business
  - 2) The period would be six months, the end of this Council's operating year.
  - 3) The Legislative Public Policy and Planning & Grants Committees were asked to review their committee operations for which non-essential operations the committees might eliminate for the remainder of this period.
7. Hal would like the input from the LPP committee and list as a motion to report back to the executive committee. Last year Bob tied to each piece of legislation being followed by the Committee to the corresponding goal within the CDDC Five Year Plan. For this Council wide hiatus it is suggested that the Committee would pick legislation in a similar manner. The Council is trying to come to re-establish priorities and how we better integrate the work of the two main committees.
8. The LPP committee discussed the Executive Committee direction to define the essential and nonessential business of the committee.

**Essential business** we will continue to work on include the following five identified legislative priorities:

  - 1) Elimination of the HCBS-DD (comprehensive or residential services) waitlist

- 2) Legislation to eliminate sub-minimum wages for people with disabilities
- 3) The Employment First appropriation within the Governor's proposed budget
- 4) School discipline including limiting seclusion and restraint of students with disabilities
- 5) Human Rights Committee duties (this is a bill that had been drafted by Alliance where they were suggesting that the review of psycho active medications by this committee be eliminated)
- 6) Any other bills clearly tied to the Five Year Plan

Also under Essential Business would be continued collaboration within the ARC, Alliance, DD Council, Disability Law Colorado, and JFK Partners. Committee will continue to be involved in the Adult Medicaid Waiver Redesign including ongoing participation in the stakeholder input process established by HCPF. Bob plans to continue to closely monitor this process.

**Non Essential business** that will be put aside for the next 6 months is conducting legislative educational forums.

Jessica made motion to approve this definition of essential and non-essential LPP committee business. Michael seconded the motion. The motion was unanimously approved. This motion will be forwarded to Alicia and the Executive Committee.

9. Bob sent Federal policy updates in a memo form to committee. Reports have been published over the last month related to disability and employment. The proposed change to the public charge rule is a concern and would reportedly discriminate against immigrants with disabilities (who would presumably use public benefits at a higher rate than the average immigrant). A recommendation by the National Council on Disability includes the gradual phasing out subminimum wage with people with disabilities.
10. An appropriation which supports the expansion of Colorado's Employment First activities was submitted within Governor Hickenlooper's proposed budget submitted on November 1, 2018. This action appropriates funds to support: 1) four Employment First-related positions within DVR, 2) a statewide Office of Employment First based within JFK Partners, 3) an Employment First information-sharing initiative for individuals with significant disabilities, families, service providers and educators, and 4) a supported employment pilot program to provide additional payments to service providers for employment outcomes managed by HCPF. These activities are based upon the recommendations developed by the Employment First Advisory Partnership within their report published November 1, 2017. The report may be found at: <https://www.colorado.gov/pacific/sites/default/files/EFAP%20Report%20FINAL%201.4.18.pdf>

#### 11. **Public Comment:**

- Steve: Hopefully the Council and committee will look for places where they can make a difference during the reorganization (hiatus) so the DD Council has their own voice and not only partner with the other organizations like JFK Partners, Arc of Colorado, and Alliance. There is a large population in the disability community that does not have a voice.
- Klaus: Klaus asked about details regarding the Affordable Housing forum conducted several years ago. Hal shared that three renters and housing-related bills were introduced during last year's legislative session and none passed. Klaus requested that the housing issue continue to appear on the Committee's agenda. As a parent housing is extremely important to him.
- Donna: Donna expressed her strong support for integrated housing and her strong opposition to paying for segregated, congregate housing with public funding.

12. **Announcements:** The Joint Budget Committee (JBC) posted their agenda through December 11th. Three days are staff meetings that might be of interest to Council members. Hal suggested members review the dates on the JBC website and attend meetings. Please see: [https://leg.colorado.gov/jbc\\_schedule](https://leg.colorado.gov/jbc_schedule)

13. **Reminders:**

- The next LPP Committee meeting is December 17 from 10 to noon at the Council's 2<sup>nd</sup> floor conference room
- In 2019 the second and fourth Mondays of the month during the Legislative session will LPP committee meetings.

14. Jessica made motion to adjourn. Michael seconded. Meeting adjourned at 11:51.

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Motions Made:

1. Jessica made motion to approve October minutes. Hal seconded. Minutes unanimously approved.
2. Jessica made motion to this definition of essential and non-essential LPP committee business. Michael seconded. Unanimously approved. This motion will be forwarded to Alicia and the executive committee.
3. Jessica made motion to adjourn. Michael seconded. Meeting adjourned at 11:51.

Actions:

1. December meeting Bob will provide orientation on how he works in Colorado Capitol Watch. Will also include a one page training document to share with individuals not at the meeting.

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Council Committee Members Present: Hal Wright, Kristen Erby, Julie Schleusener, Jessica Howard

Council Visiting Members Present: N/A

Community Committee Members Present: Michael Hoover (disability rights representative and past Colorado Developmental Disabilities Council member).

Guests: Donna Downing (past-president of the National Autism Committee), Steve Miller (Blue Spruce Community), Klaus Weickmann (Blue Spruce Community), Cat Nash

Staff Present: Vanessa Hernandez, Robert Lawhead

Council Committee Members Absent: Millie Segura, Senator Irene Aguilar, Joseph Morrone (medical leave of absence), Deborah Marks Williams

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**MEETING DOCUMENTS**

Meeting Agenda

October Meeting Minutes

CDDC 2019 Legislative Priorities DRAFT

Federal Policy Update 11.19.18