



Legislative & Public Policy Committee Meeting

April 19, 2021 -- 10:00 AM – 12:00 PM

Zoom Only (no in-person meeting)

<https://zoom.us/j/458897508>

MEETING MINUTES:

Attendance:

Council Committee Members Present: Ali Thompson, Cami Renfrow, Dawn Russell, Lucinda Rowe

Council Committee Members Absent: Bonnie Silva, Christine Owen (excused), Lisa Franklin (excused)

Community Committee Members Present: Michael Hoover (disability rights representative and past

Community Committee Members Absent: Benu Amun-Ra (self-advocate and parent), Gerrie Frohne (excused)

Guests: Donna Downing (past-president of the National Autism Committee), Andrea Mercier

Staff Present: Vanessa Hernandez, Robert “Bob” Lawhead

Meeting Minutes:

1. Ali called the meeting to order at 10:04 AM.
2. Review Agenda:
 - a. No changes today.
3. Meeting Minutes:
 - a. March 1, 2021 minutes: Lucinda made a motion to approve. Michael seconded. Membership present approved. No abstentions.
 - b. April 5, 2021 minutes: Ali made a correction in attendance list. Ron Hutter is no longer on the committee so we need to remove from quorum and minutes. Dawn made a motion. Lucinda second. Membership approved. Ali: Abstain
4. Old Business: Update on legislative and public policy priorities/bills committee is following:
 - a. Home and Community-Based Services (HCBS) funding stability AND the HCBS-DD Waitlist Update – 667 new resources!!! ARPA: 10% HCBS FMAP increase until 3.31.22.
 - b. Ombudsman office for people with IDD. There is no update. Joelle and Bob have not scheduled with the state of Washington.
 - c. High-fidelity wraparound services expansion funding reinstatement. There is no update and needs to be researched.
 - d. Other priorities are captured in bill updates below.
5. Bills the committee is following:
 - a. HB21-1014 Disability Symbol Identification Document. Provides a discrete disability status identifier on license or ID; Provides for peace officer access to driver or passenger

disability status. Ali testified. **STATUS:** House Committee on Transportation & Local Government Refer Amended to Appropriations: 03/24/2021

- b. HB21-1097 Establish Behavioral Health Administration (Monitoring). Creates single state agency to lead, promote & administer BHA; Directs CDHS submit plan to create BHA. **STATUS:** Sent to the Governor: 04/14/2021
- c. HB21-1110 Colorado Laws for Persons with Disabilities. Prohibits a PWD from being excluded from participating in or being denied the benefits of services, programs, or activities of a public entity including web content. Requires that Colorado agency rules shall not provide less protection than the ADA. **STATUS:** House Committee on Judiciary Refer Amended to Appropriations: 03/24/2021
- d. HB21-1122 First Responder Interactions with PWD. Establishes commission on improving first responder interactions with persons with disabilities including recommendations for training curriculum. **STATUS:** House Committee on Appropriations Refer Amended to House Committee of the Whole. Passed the house today: 4/19/2021.
- e. HB21-1166 Behavioral Health Crisis Response (CDDC Monitoring, **TAGGED 3.5.21 for Support consideration**). Directs HCPF to obtain a vendor to provide a comprehensive care coordination and treatment training model for persons who work with PWIDD & co-occurring behavioral health needs (20 trainees + 10 from underserved areas). **STATUS:** House Committee on Public & Behavioral Health & Human Services Refer Amended to Appropriations and not moved, yet: 03/30/2021
- f. HB21-1169 Prohibit Discrimination Organ Transplant Recipient (CDDC Monitoring, **TAGGED 4.5.21 for Support consideration**). Prohibits a health-care provider involved in making a decision regarding a person's eligibility to receive an organ transplant, or any related treatment or services from discriminating against that person solely on the basis of disability. **STATUS:** Senate Committee on Health & Human Services Refer Unamended to Senate Committee of the Whole: 04/12/2021.
- g. HB21-1182 Missing Child Emergency Electronic Location Info (CDDC Monitoring, **TAGGED 4.5.21 for Support consideration HOWEVER this bill is Postponed Indefinitely**). Allows law enforcement to receive location information from wireless telecommunications provider to allow for the timely and safe recovery of the missing child. **STATUS:** House Committee on Judiciary Postpone Indefinitely.
- h. HB21-1187 Long-term Services and Support Case Management Redesign (CDDC Monitoring, **TAGGED 4.5.21 for Support consideration**). Directs HCPF to make rules to implement a redesigned single entry point case management system by 7.1.24. Directs that HCPF create a plan timeline by 12.31.21. Directs HCPF to publish a competitive solicitation for case management agencies (CMA)s to replace CCBs and SEPs by 12.31.22. **STATUS:** Senate Committee on Health & Human Services Refer unamended.
- i. HB21-1206 Medicaid Transportation Services (CDDC Monitoring, support requested by Alliance Colorado, **TAGGED 4.5.21 for Support consideration**). Directs HCPF to oversee the safety and oversight of Medicaid nonmedical and nonemergency medical transportation services eliminating PUC's responsibility. Directs HCPF & stakeholders to establish applicable rules and processes. Give responsibilities back to HCPF through stakeholder process. **STATUS:** House Committee on Health & Insurance Refer Amended to Appropriations.
- j. HB21-1221 Bullying Prevention and Education in Schools (CDDC Monitoring). Directs CDE & stakeholders to update model bullying prevention and education policy and clearly differentiate between bullying, conflict and harassment, including the role of cyberbullying. Specified that these incidents are to be specifically tracked and may

constitute grounds for suspension or expulsion. Has not moved at all. STATUS: Introduced in House – Assigned to Education

- k. SB21-039 Elimination of Subminimum Wage Employment (CDDC Supports). Directs CDLE to phase out the use of subminimum wage (SMW) and require transition plans for employers currently using SMW employment. Directs the Employment First Advisory Partnership to develop recommendations to address fiscal and structural barriers to SMW elimination. Directs HCPF to add employment-related services for PWIDD. Major breakthrough on Friday where HCPF and CDLE came together and agreed on amended language. STATUS: Senate Committee on Business, Labor, & Technology Refer Amended to Appropriations: 03/03/2021
- l. SB21-075 Supported Decision-Making Agreement (CDDC Strongly Supports). Allows an adult with a disability to enter into a supported decision-making (SDM) agreement with a member of “the supportive community.” Under the agreement, the adult authorizes the member to provide SDM including assistance in:
 - a. understanding potential options, responsibilities, and consequences,
 - b. obtaining relevant information, and
 - c. communicating the adult’s decision.SDM agreement, when signed and witnessed, shall be relied upon by any person receiving it. SDM agreements may serve as alternatives to guardianship or assist with decision-making for those presently under guardianship. STATUS: Passed Senate. Passed House. Senate Considered House Amendments - Result was to Concur - Repass: 04/14/2021.
- m. SB21-095 Sunset Employment First Advisory Partnership (CDDC Supports). Implements the recommendation of the department of regulatory agencies in its sunset review and report on the employment first advisory partnership by continuing the partnership indefinitely. STATUS: Senate Committee on Business, Labor, & Technology Refer Amended to Appropriations: 03/22/2021
- n. SB21-099 Sunset License Plate Disability Support Act (CDDC Monitoring). Continues the Laura Hershey Disability Support Act for 5 years. This continues the Colorado Disability Funding Committee, which auctions motor vehicle license plate numbers to raise money to aid persons with disabilities in accessing disability benefits. STATUS: Passed Senate. House Committee on Public & Behavioral Health & Human Services Refer Unamended to Appropriations: 04/13/2021
- o. SB21-140 Child Abuse Reporting Information Concerning Child (Pied 3.17.21) Requires that prior to reporting the suspected child abuse or neglect, a public school official or employee shall request an immediate advisory meeting concerning the child with a least one person who is a primary teacher or special education teacher of the child, if applicable, to share information concerning the child and any IEP or safety plan for the child. STATUS: Senate Committee on Education Postpone Indefinitely:03/17/2021
- p. SB21-182 School Discipline (CDDC Supports, Michael is following. Pied.). Prohibits law enforcement officers from arresting, ticketing or requiring appearance of students for certain offenses and conduct. Prohibits SROs from handcuffing elementary students. Requires each school district and institute charter school to:
 - 1. disaggregate reports of conduct and discipline violations by race, ethnicity, gender, status as a student with a disability, and socioeconomic status;
 - 2. enter into an MOU with the law enforcement agency on strategies, procedures, and practices that minimize student exposure to the criminal and juvenile justice system;
 - 3. adopt a policy to report and address disproportionate disciplinary practices;

4. develop, implement, and annually review improvement plans to address disproportionate discipline practices;
 5. provide to the parents of the students enrolled in the school written notice of the improvement plan and issues identified by the department as giving rise to the need for the plan;
 6. address chronic absenteeism and disproportionate disciplinary practices in order to provide support to students who are identified as at risk of chronic absenteeism and disciplinary actions. STATUS: Senate Committee on Education Postpone Indefinitely: 04/07/2021
- q. SB21-188 Ballot Access for Voters with Disabilities (CDDC Monitoring, **TAGGED 4.5.21 for Support consideration**). Allows a voter to either print the ballot or return the ballot by electronic transmission if printing the ballot is not feasible. Current law allows a voter with a disability to use an electronic voting device that produces a paper record to vote in a mail ballot election. If a voter receives a ballot through an electronic voting device, the voter is required to print the ballot to return it to the applicable election official. STATUS: Passed Senate. Introduced In House - Assigned to State, Civic, Military, & Veterans Affairs: 04/12/2021
6. Procedure for formal Council support of legislation:
 - a. This committee has been contacted by various legislators and agencies to ask for a sign on or support during the session but according to the current bylaws, the committee cannot make any binding decisions without the full Council vote and approval.
 - b. On Wednesday at the Council meeting Ali would like to present the matrix that was emailed out to the committee last week. This matrix would be used for every potential bill that the Legislative Public Policy committee would like the full Council to consider. If passed, the matrix can be ratified at the next full Council meetings.
 - c. Questions in the matrix include:
 1. What needs to be decided?
 2. When does the decision need to be made by?
 3. If the Council supported this advocacy, how would we be accomplishing work in the five-year plan?
 4. How does supporting this advocacy align with the purpose of the DD Act?
- Michael made a motion to take this proposal to the full Council with the addition of the Mission question “How does supporting this advocacy align with the Council Mission statement?” to the matrix on Wednesday. Dawn seconded. Cami, Lucinda, Mike, Dawn approved. Passed.
7. Voting:
 - HB21-1166 Behavioral Health Crisis Response: All voting members support at this point.
 - Support: Ali, Lucinda, Dawn, Cami, Mike
 - Oppose: N/A
 - HB21-1169 Prohibit Discrimination Organ Transplant Recipient: Is going through without impact but still important to support.
 - Support: Ali, Lucinda, Dawn, Cami, Michael
 - Oppose: N/A
 - HB21-1187 Long-term Services and Support Case Management Redesign (CDDC Monitoring)
 - Support: N/A
 - Oppose: N/A
 - Monitoring: Lucinda, Dawn, Cami

- HB21-1206 Medicaid Transportation Services (CDDC Monitoring, support requested by Alliance Colorado: Follows the DD Act, Goal Two and Council mission
 - Support: Ali, Lucinda, Dawn, Cami
 - Oppose: N/A
 - Monitoring: N/A
- SB21-188 Ballot Access for Voters with Disabilities:
 - Support: Ali, Lucinda, Dawn, Cami
 - Oppose: N/A
 - Monitoring: N/A

8. New Business: Comments to RSA Federal action Bob took in support of the integrated setting system. Bills in Congress: Bob provided information of Federal bills in Congress. 1.2 Trillion dollar package.
9. Public Comment: None at this time.
10. Meeting adjourned at 12:03 PM.

Next Meeting: Monday May 3, 2021 10 AM until 12 noon via Zoom

Action Items:

1. Take approved matrix for time sensitive advocacy form to the Council meeting on Wednesday April 21, 2021.
2. Written directions on how to join Zoom with hyperlink and maybe add the hyperlink to the agenda?

Motions Made:

1. Meeting Minutes:
 - March 1, 2021 minutes: Lucinda made a motion to approve. Michael seconded. Membership present approved. No abstentions.
 - April 5, 2021 minutes: Ali made a correction in attendance list. Ron Hutter is no longer on the committee so we need to remove from quorum and minutes. Dawn made a motion. Lucinda second. Membership approved. Ali: Abstain
2. Procedure for formal Council support of legislation: Michael made a motion to take this proposal to the full Council with the addition of the Mission question to the matrix, on Wednesday. Dawn seconded. Cami, Lucinda, Mike, Dawn approved. Passed.
3. Voting:
 - HB21-1166 Behavioral Health Crisis Response: All voting members support at this point.
 - HB21-1169 Prohibit Discrimination Organ Transplant Recipient: Is going through without impact but still important to support. All voting members support at this point.
 - HB21-1187 Long-term Services and Support Case Management Redesign. All voting members vote to monitor.
 - HB21-1206 Medicaid Transportation Services (CDDC Monitoring, support requested by Alliance Colorado: Follows the DD Act, Goal Two and Council mission: All voting members support at this point.

- SB21-188 Ballot Access for Voters with Disabilities: All voting members support at this point.