



Legislative & Public Policy Committee Meeting Minutes

January 4, 2021 -- 10:00 AM – 12:00 PM

Zoom Only (no in-person meeting)

MEETING AGENDA:

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| 1. Convene, establish quorum, introductions of LPPC members and public | Ali |
| 2. Review/modify today's proposed agenda | LPPC members |
| 3. Old Business: | |
| a. Review/approve November 16th meeting minutes | Ali |
| b. Update on CDDC legislative and public policy priorities: | Bob |
| 1) Home and Community-Based Services (HCBS) funding stability | |
| 2) December 18th State Revenue Forecast (see CO Politics article) | |
| 3) Sub-minimum wage elimination | |
| 4) Expand Supported Decision-Making (SDM) codification | |
| 5) Ombudsman office for people with IDD | |
| 6) EFAP reauthorization including state hiring "disability priority" | |
| 7) High-fidelity wraparound services expansion funding reinstatement | |
| c. HCBS Day Service COVID-19 update (HCPF OM20-105 implementation: 1.15.20) | Bob |
| Stakeholder meeting: 1.8.21, 1:00-2:30, https://cohcpf.adobeconnect.com/idd/ | |
| d. Rights Modification (see HCPF OM20-103 & informed consent template) | Bob |
| Stakeholder meeting: 1.13.21, Noon-1:30, https://cohcpf.adobeconnect.com/rights/ | |
| 4. New Business: | |
| a. COVID-19 vaccination prioritization letter (see letter) | Bob |
| b. Governor priority: \$1.3 billion CO stimulus package (see CO Politics article) | |
| c. Reminder to use Colorado Capitol Watch | |
| d. General Assembly to "gavel in" 1.13.21, then recess until 2.16.21 | |
| e. MLK holiday conflict with next CDDC LPPC meeting date (cancel or reschedule?) | LPPC members |
| f. Additional items? | LPPC members |
| 5. Confirm date for next meeting | LPPC members |
| 6. Confirm Decision Items | Vanessa |
| 7. Public Comment | Public |
| 8. Adjourn | All |

Next Meeting: February 1, 2021 10 am until 12 pm via Zoom

Discussion:

1. Ali called the meeting to order at 10:01 AM. Quorum establishment was confirmed.
2. Agenda:
 - Ali would like to add a discussion around a bill she is working on if time permits.
 - The agenda was approved with modification.
3. Old Business
 - a. A motion was made to approve the November 16th meeting minutes. The motion was seconded and passed.
 - b. Update on CDDC legislative and public policy priorities:
 - 1) Home and Community-Based Services (HCBS) funding should continue to be monitored as the Long Bill (the budget bill for state fiscal year 2021-22)

is developed during the 2021 session of Colorado's General Assembly as the impact of COVID-19 on future state revenue is unknown.

- 2) December 18th State Revenue Forecast (see CO Politics article sent via email)- The late December state revenue forecast was better than expected, but with Colorado cases on the rise, legislators will need to keep an eye on this.
 - 3) The sub-minimum wage elimination bill is still on board for introduction during the 2021 legislative session. Unfortunately the current COVID-related revenue crisis has required that implementation timelines be pushed back. A bill draft is being developed with Council input.
 - 4) Expansion of Supported Decision-Making (SDM) codification is anticipated through introduction of a bill this session. SB20-129 "Concerning the Protection of Individuals] Subject to a Fiduciary" was passed in the previous session and established a definition for SDM. This effort is being led by the Arc of Colorado with input from the Council.
 - 5) Ombudsman office for people with IDD has been discussed with HCPF and some Arc chapters. This is conceptual at this point and other potential partners like Disability Law Colorado will be brought into discussions.
 - 6) EFAP reauthorization including state hiring "disability priority" is needed because legislation establishing the Employment First Advisory Partnership (SB16-077) sunsets this year. The disability priority would provide for a pilot program within the CO Department of labor and Employment (CDLE) to provide candidates for state employment an "incentive" similar to the one presently provided to veterans.
 - 7) High-fidelity wraparound services expansion funding reinstatement is an effort that results from the passage of SB19-195 which called for the establishment of a Medicaid-funded program of expanded and coordinated mental health services to families with children at risk of out of home placement. Due to the 2020 state budget crisis, HB20-1384 was passed to de-fund this program. This committee has indicated its support for refunding this important program as established by SB19-195.
- c. HCPF's HCBS Day Service COVID-related modifications – The Colorado Department of health Care Policy and Financing (HCPF) has been creative in their efforts to develop service modifications in response to the pandemic. HCPF has provided guidance on safe procedures for the operation of day programs for people with intellectual and developmental disabilities (IDD) but this means fewer people can utilize the service. In an effort to get more people back into day services HCPF has worked with stakeholders, including the Council, on offering 1:1 services so that people can experience reduced exposure to the virus that might occur in group settings. HCPF's end of the year operational memo (OM20-105, see the document included with this agenda via email) on this topic will be discussed on January 8th, from 1:00 to 2:30 PM. Use <https://cohcpf.adobeconnect.com/idd/> to connect. Council advocacy on this issue has focused on assuring that people can access their previously approved PAR level of funding for these new 1:1 services. In order to assure budget neutrality, HCPF has indicated that cuts in funding levels to the previous year's service utilization are necessary.
- d. HCPF's Rights Modification process has received a lot of attention from the Council over the past two years. We have advocated for the assurance of informed choice as

individuals are faced with rights restrictions, which may result in facing the withdrawal of services from their present service agency if one doesn't agree to the restriction. Please see HCPF OM20-103 and HCPF's informed consent template (included via email) for more detail. The next stakeholder meeting on this issue occurs on January 13th from Noon to 1:30 at <https://cohcpf.adobeconnect.com/rights/>

4. New Business:

- a. COVID-19 vaccination prioritization letter (see letter provided via email). The Council coordinated a letter that went to The Governor, Lt. Governor and the Colorado vaccine committee on December 23rd 2020. It was signed by over two dozen Colorado advocacy organizations that is based on the FAIR study <https://s3.amazonaws.com/media2.fairhealth.org/whitepaper/asset/Risk%20Factors%20for%20COVID19%20Mortality%20among%20Privately%20Insured%20Patients%20%20A%20Claims%20Data%20Analysis%20%20A%20FAIR%20Health%20White%20Paper.pdf>. This research found that people with IDD and other disabilities are at an increased risk of death when infected with Covid-19. The Council has therefore advocated that people with IDD and certain other disabilities should be prioritized for Covid-19 vaccination. This is a moving target and many more people were added ahead of people with IDD during the vaccination distribution plan modification which occurred December 30th. The LPP Committee proposed that Bob create an action alert. Benu offered to assist.
- b. Within the Governor's proposed budget is a priority to fund a \$1.3 billion Colorado stimulus package (see CO Politics article provided via email).
- c. Reminder to use Colorado Capitol Watch. We are in the process of renewing our subscription to this service that provides legislative bills details including bill summary, bill language, sponsors, amendments, committee action, lobbyist positions, etc. This is accessible to all LPP Committee members. Contact Bob for more information.
- d. General Assembly to "gavel in" 1.13.21, then recess until approximately 2.16.21 due to concerns about the spread of the virus
- e. MLK holiday conflicts with next CDDC LPPC meeting date. The committee decided to CANCEL the January 18th meeting, thus our next meeting will be February 1st. The February 15th meeting date (President's Day) was rescheduled to February 18th from 10:00 AM to noon.

5. Reminder:

- Council members can become members of this committee by simply saying they want to be part of the committee and having their membership recommended by the Chair and approved by the Council's Executive Committee.
- Members of public have the opportunity to provide input during the public comment portion of the agenda.
- The Colorado Assistant Attorney General has recently clarified that committee votes may only include Council members appointed by the Governor. Approved committee members who are not Council members are able to actively engage in committee discussions including bringing and seconding motions.

6. Public Comment:

Barb Likos: Appreciates the vaccine work of the Council and being able to attend the meeting today.

7. Meeting adjourned at 12:00 PM.

Action Items:

1. Bob will share the December 23rd vaccination letter with Yolanda and the Department of Human Services.
2. Bob was asked to create and distribute a call to action regarding priority of Covid-19 vaccine distribution by requesting that the public contact the governor, Lt. Governor and other public policy makers with purposed language.
3. Benu asked for a list of LPP committee members and their status updates to help with quorum and voting.

Motions Made:

1. Pass the November 16th LPPC meeting minutes. Details on bringing the motion, seconding and voting was not recorded.
2. Creation of a call to action regarding prioritizing Covid-19 vaccine distribution for people with IDD. Mike Hoover made a motion to proceed with the call to action. Lisa seconded. Lucinda, Lisa, Ali, Mike, and Benu approved. Christine abstained as she had to log off the meeting.

Attendance:

Council Committee Members Present: Ali Thompson, Cami Renfrow, Christine Owen, Dawn Russell, Lisa Franklin, Lucinda Rowe, Ron Hutter

Council Committee Members Absent: Bonnie Silva, Joseph Morrone (excused)

Community Committee Members Present: Michael Hoover (disability rights representative and past Colorado Developmental Disabilities Council member), Benu Amun-Ra

Committee Members Absent: Gerrie Frohne (excused)

Guests: Donna Downing (past-president of the National Autism Committee), Barb Likos, Chris Russell, Lisa Eze, Michael Neil

Staff Present: Vanessa Hernandez, Robert "Bob" Lawhead