



Legislative & Public Policy (LPP) Committee Meeting Minutes

March 4, 2019 -- 10:00 AM – 12:00 PM
Chancery Conference Room Second Floor
Denver, CO 80203

MEETING AGENDA:

- 1) Convene, establish quorum, introductions (Hal)
- 2) Introductions of LPPC members and members of the public (All)
- 3) Revisit Agenda
- 4) Old Business:
 - a. Review, modify and approve February 4, 2019 meeting minutes (LPPC members)
 - b. February 21st JBC CDLE figure setting on the Employment First appropriation
- 5) New Business
 - a. State bills of interest (* indicates new bill)
 - HB 19-1017 Pilot K-5 social workers
 - HB 19-1028 Medical marijuana for autism
 - HB 19-1045 Office of Public Guardianship
 - HB 19-1054 Disability trusts
 - HB 19-1062 Grand Junction Regional Center property transfer
 - HB 19-1085 Tax, rent, heat grants for low income seniors/people with disabilities
 - HB19-1104 Rights of those represented by the Office of the Respondent Parent's Council
 - *HB 19-1194 Discipline of preschool through 2nd grade students
 - SB 19-010 Behavioral health services for schools
 - SB 19-072 Bill of rights of protected person under guardianship
 - *SB 19-172 Creating the crime of unlawful abandonment and unlawful confinement
 - *Increased Authority for the Oversight of IRSS (by HCPF, not yet introduced)
 - b. Items from the Chair (Hal)
 - i. Brief recap on legislation, (# of House and Senate bills as of 3/1, # Pied and # signed by the Governor)
 - ii. Schedules for JBC Figure Setting meetings for the HCPF and OCL appropriation (March 13th)
 - iii. The lobbying activity of the Colorado Bar Association's Elder Law Section
 - a. Jeremy Schupbach's presentation "Beyond 'Just a Bill' " (handouts)
 - b. Working with the Elder Law Section's Medicaid and Guardianship committees
 - c. Discussion in the Feb 6 ELS meeting about SB 19-072 "Bill of Rights for a Protected Person under Guardianship"
 - iv. Advocacy to reduce the HCBS-DD wait list in coalition with CO Arc, Alliance, JFK Partners and D/A Law CO
 - v. The need to develop a Council position on Supported Decision Making (SDM) in anticipation of 2020 guardianship legislation
 - vi. The Council should plan to hold a public education forum on Guardianship and SDM in the late Fall
 - a.
- 6) Action items (group discussion)
- 7) Public Comments (members of the public)
- 8) Adjourn

Next Meeting: March 19, 2019

DISCUSSION:

1. Hal called meeting to order at 10:05.
2. Introductions were made.
3. Revisit Agenda:
 - Hal will speak first as he has to leave early before Bob gives report.
4. Old Business: February Minutes:
 - Item #6- Remove the word "tall"
 - Action Items: Contact Congressman Doug Lamborn regarding Disability Integration Act regarding co-sponsorship. #2, #5
 - Deborah was present, remove from absent section.
 - Joe made motion to approve minutes. Deborah seconded. Committee members approved with corrections and changes.
5. Action Items:
 - Lisa contacted Senator Chris Holbert. He ended up pulling the bill (SB 19-072 Bill of rights of protected person under guardianship) because there was a strong push back from the Colorado Bar Association regarding the bill language and inconsistencies with current statute. He will work with a new group of stakeholders over the summer regarding new language that better fits with existing guardianship law.
6. New Business:
 - HB 19-1053 Disability Trusts- Bob met with Senator Jeff Bridges a few weeks ago. The main reason for this bill was to rein in HCPF's attempts to raid trust funds from people who have come off the Colorado Medicaid roles because 1) they have gained employment and no longer qualify due to assets and 2) they have left Colorado to reside in another state. This has been characterized as significant over-reach on the part of HCPF.
 - February 21st JCB Meeting
 - Figure setting occurred for CDLE and the Employment First section begins starting on page 68 of the figure setting document (https://leg.colorado.gov/sites/default/files/fy2019-20_labfig.pdf) . Josh Winkler and One Strong Voice (a collaborative of disability organizations organized by CCDCC) contacted a number of individuals (Center for Independent Living Directors, among others) concerned about the Office of Employment First was being located at JFK Partners (Colorado's University Affiliated Center of Excellence in Developmental Disabilities or UCEDD). The primary concern was that the Office might not retain a focus on cross-disability employment efforts and could focus too much on the IDD population.
 - On page 71 of figure setting document is the following sentence, "According to the proposed vision and mission statements for the proposed new entity: 'The Office of Employment First will work with state agencies, employers and community stakeholders to make Colorado a national leader in **cross-disability** Employment First programs and will be the center of excellence and accountability for Employment First policy, practice and implementation in Colorado.' (emphasis added)"

- In response to Josh's concerns, an emergency meeting of the Employment First Advisory Partnership (EFAP) has been scheduled tomorrow between 2 and 4 in the Governor's Office Conference Room and EFAP will come together with limited notice and intent is to discuss the issue that One Strong Voice/CCDC is concerned about and to re-determine EFAP's position on the Employment First appropriation.
 - March 13th is scheduled for JBC figure setting for the Office of Community Living (OCL) within HCPF. It is anticipated that the JBC will determine the number of people with IDD who will be funded for removal from the HCBS-DD (residential/comprehensive) waiver program. The OCL/HCPF portion of the Employment First appropriation is also scheduled for consideration.
7. Colorado Bar Association (CBA): Elder Law Section
 - Medicaid subcommittee and health care subcommittee may be getting active and potentially considering guardianship-related issues.
 - February 16th meeting there was extensive discussion regarding these issues and SB 19-072.
 - Hal is willing to be a liaison between the CBA and the committee regarding the guardianship bill of rights legislation.
 8. The Employment First (EF) appropriation was initiated by the Colorado Office of State Planning and Budgeting (OSPB). The CO DD Council submitted a proposal which provided a model for the CDLE and OCL/HCPF EF appropriations. Money for the appropriations is being transferred from the HCPF DD Service Cash Fund. EFAP was created through SB 16-077 and the Council EF appropriation proposal was consistent EFAP recommendations published November 1, 2017.
 - Lisa made a motion for Bob to have authority to represent the Council and the Council's Legislative Public Policy Committee and move ahead in support of the current Employment First appropriation including the location of the Office of Employment First within JFK Partners, Colorado's UCEDD. Jessica seconded. Committee members all approved.
 9. House Bill 19 1194 Discipline of preschool through 2nd grade students:
 - Some things remain the same as the bill that was introduced in 2017.
 - In 2017 there was language where if a child was not identified as a child with a disability then the school would initiate an evaluation and Jessica did not see that language in this bill.
 - Jessica asked that we reach out to ARC of Colorado and Advocacy Denver to gain their perspectives on this bill.
 - Unsure how this bill addresses to get at the racial disparity.
 - Jessica made suggestion that the Council bring Dr. Rosemarie Allen to discuss this as she was the one who brought this bill forward.
 - Bob, Jessica and Paulette were able to hear Dr. Allen speak on inherent bias and disparity issues at the PEAK Parent Center Inclusion Conference in February.
 10. SB 172- Creating the crime of unlawful abandonment and unlawful confinement, was introduced last week and is a bill we should follow.
 11. HCPF bill on host homes has not yet been introduced
 - Increase HCPFs authority to provide more oversight for host homes and follows the unsuccessful bill with the same intent from the last session.
 12. Bob encourages committee members to use Colorado Capital Watch to track bills. Council members and approved committee members are given access. Email Bob for sign in information.

13. Public Comments: Steve Miller indicated that he appreciated the Committee's discussions and hoped residential choice would be discussed. Gerrie Frohne indicated that we must continue to focus on inclusion and fully integrated solutions to the housing crisis for people with IDD.
14. Meeting adjourned at 12:01.

Motions Made:

1. Joe made motion to approve minutes. Deborah seconded. Committee members approved with corrections and changes.
2. Lisa made motion for Bob to have the authority to support and facilitate passage of the Employment First appropriations. Jessica seconded. Committee members all approved.

Actions Items:

1. Bob and Hal will reach out to the Arc of Colorado and Christiano Sosa and maybe CCDC regarding future Supported Decision-Making (SDM) legislation.
2. Bob will support and facilitate passage of the Employment First appropriations with the authority to represent the CDDC LPP Committee.
3. Bob will reach out to Arc of Denver and Advocacy Denver on House Bill 19 1194 Discipline of preschool through 2nd grade students.

Council Committee Members Present: Hal Wright, Julie Schleusener, Joseph Morrone, Lisa Franklin, Deborah Marks Williams, 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), Gerrie Frohne, Cassidy Dellemonache

Council Committee Members Absent: Kristen Erby

Staff Present: Vanessa Hernandez, Robert Lawhead

MEETING DOCUMENTS

Meeting Agenda

February Meeting Minutes

Bills