



Legislative & Public Policy (LPP) Committee Meeting Minutes

April 1, 2019 -- 10:00 AM – 12:00 PM

CDDC Conference Room

Denver, CO 80203

MEETING AGENDA:

- 1) Convene, establish quorum, introductions (Hal)
- 2) Introductions of LPPC members and members of the public (All)
- 3) Review today's proposed agenda (All)

4) **Old Business:**

- a. Review, modify and approve March 18, 2019 meeting minutes (LPPC members)

5) **New Business**

- a. Long Bill update (Hal)
- b. Waiting list progress: 399 new emergency resources + 150 = another 549 people (Hal)
- c. Supported Decision Making position to prepare for 2020 legislation (Hal)
- d. Motion that would recommend that the Council adopt a legislative priorities statement (Hal)
this fall and delegate to the LPPC the authority to pursue the priorities therein.
- e. Move May 6th meeting date to May 13th? (Hal)

State Bills of Interest (* indicates new bill of interest)

HB 19-1107 Employment support pilot

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

HB 19-1223 SSI & SSDI application support

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)

*Voluntary Disability ID (not yet introduced)

- 6) Decision Items (All)

- 7) Public Comment
- 8) Adjourn (Next meeting April 15, 2019)

DISCUSSION:

1. Hal called meeting to order at 10:07.
2. Introductions were made.
3. Reminder: We are covered by the open meetings law. This means we have public comment at the end of the meetings. General public can attend any meetings and minutes are available on our website for public and Council member, to view. Public Comment section is to hear comments and not have a debate. Hal wants to ensure that there is allowable time at the end of each meeting for public comment. Will wrap up committee business by 11:45 to allow five minutes for public comment.
4. March 18th meeting minutes:
 - a. Kristen made motion to approve minutes. Joe seconded. Committee approved March minutes.
5. Long Bill Update:
 - a. SB 19-207 State Fiscal Appropriation Bill. Introduced last Monday and moved through the senate quickly. Now it goes to the house.
 - b. 81 bills introduced have been signed by the governor
 - c. 84 have been killed
 - d. 351 active bills
 - e. 32 more days in the legislative session. This means about 15 bills per day should be reviewed to stay on track.
6. Waiting List Progress:
 - a. 399 new emergency resources include those individuals aging out of foster care and out of the CES waiver.
 - b. 150 additional or resources from the HCBS DD Wait List for a total of 549.
7. Supported Decision Making (SDM):
 - a. ARC of the U.S. took a position that guardianship for people with ID/D needs to be sharply reduced, only be used when other forms have proven to be ineffective and "not at the convenience of guardians."
 - b. If the Council wants to take a position on SDM, a common stand needs to be determined sooner to help support potential legislation next year.
 - c. Hal asked should the committee start the process of helping the Council develop a policy on SDM?
 - Bob shared that the Council does have a draft brochure on SDM.
 - SDM is a process that is consistent with the supports the guardian is required to provide by law (encouraging the protected person to actively participate in decision-making).
 - Joe said it would help to see the draft and suggests all committee members receive it.
 - SDM should be viewed as an option.
 - Joe and Michael volunteered to be part of the SDM discussion along with Hal, Bob and Joelle.
 - Joe made motion that the LPP committee begin to develop a policy on SDM that may inform future legislation. Michael seconded. Committee approved.
8. Legislative Priority Statement:

- a. Council should consider changes to the bylaws that would allow this committee to be empowered to take positions on the bills without waiting for full Council approval.
 - b. Ask the Council to develop a statement of legislative priorities that will guide the LPP Committee in the 2020 legislative session and delegate to the committee the authority to act consistent with those legislative priorities. Positions taken by the LPP Committee would then be subject to review by both the Executive Committee and the Council.
 - Michael made motion. Joe seconded. Committee approved.
 - Hal will take this to the Executive Committee on Wednesday for consideration.
9. May 6th meeting- May 13th date change:
- a. The Colorado Center of Law and Policy is hosting a legislative wrap up forum on May 10th. This would be interesting to hear CCLP perspectives on the 2019 legislative session prior to our next meeting
 - b. Kristen made motion and Julie seconded. Committee approved to move the May 6th meeting to May 13th.
10. State Bills of Interest:
- a. HB 19-1107- Employment Support Pilot.
 - Status is waiting on appropriations. Was referred on January 30th to appropriations.
 - b. HB 19-1017- Pilot K-% social workers.
 - Council voted to support at the March Council meeting.
 - Awaiting appropriations.
 - c. HB 19-1028- Medical Marijuana for autism.
 - Has gone through and been signed by the Governor.
 - d. HB 19-1045 Office of Public Guardianship
 - Awaiting action by judiciary.
 - e. HB 19-1054 Disability Trusts:
 - Awaiting the House Finance committee but it has no sponsor and so will most probably die.
 - f. HB 19-1062 Grand Junction Regional Center property transfer.
 - Governor signed bill early March.
 - g. HB 19-1085 Tax, rent, heat grants for low income seniors/ people with disabilities.
 - Awaiting House Finance Committee. The fiscal note is considerable. Council voted to support this bill at the March Council meeting.
 - h. HB 19-1104 Rights of those represented by the Office of the Respondent Parent's Council
 - Signed by the governor.
 - i. HB 19-1194 Discipline of preschool through 2nd grade students.
 - Council voted to support this bill at the March Council meeting.
 - The bill is scheduled to be heard on April 11th, 1:30 in SCR 152.
 - Bob plans to attend the hearing.
 - j. HB 19-1223 SSI & SSDI application support.
 - Awaiting on scheduling with the Appropriations Committee.
 - k. SB 19-010 Behavioral health services for schools.
 - Being heard on April 11th at 1:30 at House Committee Room 107.
 - l. SB 19-072 Bill of rights of protected person under guardianship.
 - Has been killed. The LPP Committee plans to be active in the rewriting of this bill in collaboration with the CO Bar Association during the 2020 session.

- m. SB 19-172 Creating the crime of unlawful abandonment and unlawful confinement.
 - These are concerns about unanticipated consequences with this bill as discussed during our last meeting.
- n. Authority for the Oversight of IRSS by HCPF, not yet introduced.
- o. Voluntary Disability ID bill has not been introduced yet. Some discussion with ARC of Colorado and CCDC but just openly discussed over the weekend. Provides a voluntary disclosure that would result on some type of identifier on government issued IDs. Designation would have to be approved by a licensed medical professional. There would be certified training for law enforcement and first responders when dealing in the moment with individuals with disabilities.
- p. SB 19-215 Parents Encouraging Parents Conference
 - The bill creates parents encouraging parents conferences for parents of children with disabilities who are enrolled in public schools in Colorado. The CO Department of Education shall provide for the conferences and related lodging and food for attendees. The bill requires a specified conference curriculum.
 - Julie and Irene Aguilar are testifying on this bill Thursday at the Capitol. Senate Education Committee- purpose to move funding- Julie would like to send an email to Council members regarding this.

11. Decision Items:

- a. Hal asked Vanessa to send the minutes from today's meeting to Joe and himself Tuesday to help prepare for their upcoming Executive Committee meeting on Wednesday.
- b. Hal will present to the Executive Committee this week to make Cami and Gerrie approved LPP community committee members.

12. Public Comment:

- a. Gerrie: Committee meeting meetings presently get approved without public input on the accuracy of public comments made during the previous meeting. This is inefficient and it is suggested that the public be permitted to provide corrections during the meeting minute approval portion of the Committee meeting. Gerrie also expressed concern about the LPP Committee and the Council developing a list of legislative priorities in the fall. This list should be flexible to accommodate changes that may occur around and before legislative session. There needs to be a way in real time for the Council to reorganize policy and bill updates and changes. The Council should be cautious about establishing close ties with Alliance Colorado (the CCB and service agency association) and other powerful entities whose agenda does not always align with the Council's agenda.
- b. Steve Miller: If the Council is still involved with HCBS waiver program redesign, he would like to see updates provided to help keep committee members updated. Steve also suggested that the Council make a strong statement about General Assembly and Governor responsibility to fully fund the 3,059 people presently waiting for HCBS-DD services and suggest that funds should be prioritized for this purpose as opposed to diverting funding to "new programs like all-day kindergarten." Additionally, he would appreciate discussion of the new late March CMS guidance on HCBS Final Settings Rule implementation.

13. Michael made motion to adjourn at 11:57 and Joe seconded. Meeting adjourned.

Motions Made:

1. Kristen made motion to approve minutes. Joe seconded. Committee approved March 18th minutes.
2. Joe made motion that the LPP committee begin to develop a SDM policy to assist the Council in preparation for potential 2020 legislation. Michael seconded. Committee **approved**.
3. Michael made motion, Joe seconded and the committee approved to ask the Council to develop a statement of legislative priorities that will guide the LPP committee in the 2020 general assembly and delegate to the committee the authority to work on the legislative priorities. The LPP committee will be subject to review by both the Executive Committee and the Council on the action taken.
4. Kristen made motion and Julie seconded. Committee approved to move the May 6th meeting to May 13th.

Actions Items:

1. LPP committee begin to develop a public policy to assist the Council for an Supported Decision Making decision.
 2. Hal will ask the Executive Committee for approval to make Gerri and Cami approved LPP community committee members.
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Council Committee Members Present: Hal Wright, Kristen Erby, Joseph Morrone, Julie Schleusener, Deborah Marks Williams

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, Cami Renfro

Council Committee Members Absent: Lisa Franklin, Jessica Howard, Benu Amun-Ra

Staff Present: Vanessa Hernandez, Robert Lawhead

MEETING DOCUMENTS

Meeting Agenda

March 18th Meeting Minutes