



Legislative & Public Policy Committee Meeting Minutes

October 17, 2017 -- 10:00 AM – 11:45 PM

DD Council Office

1120 Lincoln Street, Suite 706

Denver, CO 80203

MEETING AGENDA:

10:00	Convene, establish quorum, introductions	(Hal)
10:05	Approval of September 19, 2017 minutes	(Hal)
10:10	Matters for decision	(Hal)
➤	(20 min) Should the LPPC present public education forums in 2018?	
➤	(15 min) How do we address 9 or 10 areas of focus? Priorities? Org'n?	
10:45	New business	
➤	(10 min) Supported decision making - introduction, status	(Hal and Bob)
➤	(10 min) Protection from abuse and neglect – an area of focus?	(Hal)
➤	(20 min) Policy Advisor updates	(Bob)
11:25	Old business	
➤	Lobbying – AIDD Program Instructions, 9/20/2001	(Bob)
➤	Review of last meetings action items	(Hal)
11:30	Wrap up	
➤	Review of this meetings decisions and actions taken	(Hal)
➤	November meeting – suggestions for agenda	(All)
➤	Public comment	(Guests)
➤	Closing thoughts, comments	(All)
11:45	Adjourn	

NEXT MEETING: NOV 21, 2017, 11:00 AM – 12:30 PM, DD COUNCIL OFFICES

DISCUSSION:

1. Hal Wright called the meeting to order at 10:06 AM and established that a quorum existed.
2. Details of providing public education forums were discussed. Should the Committee decide to follow through on this concept we would need committee members to take an active role. Hal described the purpose of such forums as educating the public so that they become more

effective advocates. He outlined task as: 1) identify topics, 2) identify appropriate speakers, 3) determine forum location; 4) establish remote communications strategy, and 5) publicize the event. Various members discussed logistics and the time commitment required to complete these tasks along with personal time constraints. Consensus was achieved that while this concept should remain under consideration, the Committee would not move forward with organizing and providing public education forums at this time.

3. How the Committee should address the areas of focus outlined during the August 29th committee meeting was discussed. Those areas are:

- Defending Medicaid
- Seclusion and restraint
- Suspension and expulsion
- Supported decision-making
- Access-A-Ride
- Education, both general and special
- Continuity of services
- Single payer healthcare
- School to prison pipeline

It was noted that three (Seclusion and restraint, Suspension and expulsion, and Supported decision-making) are consistent with the current CDDC Five Year Plan. Sue went on to describe that housing was also covered within the Five Year Plan and is an important area for us.

As a primary source of state budget and funding policy, the Joint Budget Committee (JBC) is another area of focus for the Committee. Hal indicated that the JBC Briefing for programs serving people with disabilities would occur in December with the JBC Hearing on the same topic occurring in January. He committed to providing additional JBC information to the Committee.

4. Hal provided an introduction to Supported Decision-Making (SDM). The present strategy of the Council is to attempt to educate the public and legal community on this issue prior to exploring legislation. As noted above this issue is in the CDDC Five Year Plan. The Colorado Bar Association has expressed interest in this issue and the American Bar Association has recently made a declaration that states should consider including SDM within guardianship-related statute. Both Tennessee and Texas have had SDM legislative efforts, with Tennessee's legislation being considered the better route to go. The Committee should receive a copy of or link to TN SDM legislation. The link will be provided. A video of Jonathan Martinis linking SDM to civil rights is available and will be provided to committee members.

Hal expressed concern that the position of the Arc of the U.S. feels absolutist and speaks of guardianship as a last resort. The Committee will receive a link to the Arc's position.

Michael expressed his opinion that some people may need guardianship but that a power of attorney specific to the circumstance could often be used instead. He stated, "Most people do not need a guardian."

Julie explained that her son is unable to speak and that she has needed guardianship to obtain critical health care information.

Jennifer expressed the need for better education for system staff on the legal and technical aspects of guardianship. Case managers in particular need solid information in order to effectively advise families.

Hal suggested that some may not understand that "limited guardianship" is available in Colorado. He also felt that in addition to linking to the legal community, it would be important to bring in the Colorado Guardianship Association and the Colorado Guardianship Alliance. The Council may want to consider developing a policy paper in this area.

5. Bob Lawhead, the CDDC Policy Advisor, provided updates in a variety of areas. He expressed appreciation for our National Association of Councils on Developmental Disabilities (NACDD) new Public Policy Director, Erin Prangley. Recent examples of her great work include analysis of the House Budget Resolution passed on October 5th and their opposition to the ADA Education and Reform Act. The Committee had reviewed a CDDC action alert on the ADA Education and Reform Act during our May meeting and Bob re-distributed it to committee members for additional review. The Committee consensus was that action alert intent made sense and Alicia kindly offered to provide some editing to the document.

Bob described the concept for a bill proposed for Colorado's 2018 legislative session that would attempt to implement certain recommendations within the initial report of the Employment First Advisory Partnership which is due for submission to the General Assembly on November 1st. Presently bill components would include training for job coaches, information dissemination to people with disabilities and their families, implementation of the "discovery process," pilot projects, and implementation of SB08-004 which created a program titled, "State Employment of People with Developmental Disabilities."

6. Bob discussed technical guidance provided by the Administration on Intellectual and Developmental Disabilities on lobbying. He has made available a document that provides technical details and references on the issue. Basically this document states that the Council should educate, inform and advise both legislative and executive branch public officials at the national, state and local levels on issues affecting people with intellectual and developmental disabilities. Providing this guidance to public officials should be done in a balanced and non-partisan fashion. There are strict prohibition of these activities in two specific areas:

- Influence of election outcomes

- Influence on monetary awards

Bob can provide the written guidance if Council members want that information.

7. Action items and follow up this for meeting (please see "Motions/Actions" section below).
8. Suggestions for next month's agenda included:
 - Organizations the Council should collaborate with
 - Supported Decision-Making
 - Committee priorities
9. Public comment was received from Steve Miller, Ilana Spiegel and Donna Downing Steve Miller explained that his interest in Council issues is related to his 28 year old daughter and his attempts to create a housing option for her and others with disabilities. He indicated that he supported the action alert on the ADA Education and Reform Act and that he hoped that housing would be discussed at the retreat. Steve represents a parent group referred to as

Colorado Community Home which supports housing solutions that allow people with disabilities to live together.

Ilana Spiegel represented the Taxpayers for Public Education (please see: <http://www.taxpayersforpubliceducation.org/>). She indicated that she is attending after being invited to do so by Lisa Franklin and has interest in partnering with organizations with mutual interests. Her group supports public funding for public schools and has a strong commitment to inclusion.

Donna Downing offered that it was her experience that many people with autism have difficulty in congregate living situations.

10. No additional comments were expressed and the meeting was adjourned by Hal Wright at 11:43 AM.

Motions/Actions:

1. Alicia Eakins moved to approve the September, 2017 Committee meeting minutes and Claire Dickson seconded the motion. The Committee voted to approve the minutes as recorded.
2. The Committee decided it would not move forward with organizing and providing public education forums at this time.
3. Committee members will receive additional information on the Joint Budget Committee from Hal.
4. Committee members will receive additional information on Supported Decision-Making including:
 - Tennessee legislation
 - ABA declaration
 - Jonathan Martinis video
 - The Arc of the US position
5. Alicia will provide editing to the Action Alert Draft for the ADA Education and Reform Act.

Council Committee Members Present: Clair Dickson, Alicia Eakins, Kristen Erby, Jennifer Martinez, Julie Schleusener (Phone), Shannon Secrest, Hal Wright (Chair).

Community Committee Members Present: Michael Hoover.

Guests: Donna Downing, Steve Miller, Illana Spiegel.

Staff Present: Sue Fager, Bob Lawhead.

Absent: Sen. Irene Aguilar, Robert Buzogany, Jeanette Cordova, Lisa Franklin, Patricia Henke, Sarah Metsch, Willie Wade, Deborah Marks Williams.

MEETING DOCUMENTS

1. Agenda
2. Draft Minutes from September 19, 2017 L&PP Meeting
3. CDDC Action Alert on the ADA Education and Reform Act of 2017

& ADDITIONAL MEETING INFORMATION

4. Link to Tennessee SDM legislation
<https://legiscan.com/TN/text/SB0264/id/1488763>
5. Link to the ABA on their SDM declaration
https://www.americanbar.org/groups/law_aging/publications/bifocal/vol_38/issue-6--august-2017-/aba-urges-supported-decision-making-as-less-restrictive-alternat.html
6. Link to Jonathan Martinis video on SDM
https://www.youtube.com/watch?time_continue=1&v=vqF3NiTeWg
7. Link to Arc of the U.S. position on Guardianship & SDM
<http://www.thearc.org/who-we-are/position-statements/rights/Autonomy-Decision-Making-Supports-and-Guardianship>