



Legislative & Public Policy Committee Meeting Minutes

November 18, 2019 -- 10:00 AM – 12:00 PM

Council Conference Room

Denver, CO 80203

MEETING AGENDA:

1. Convene, establish quorum, introductions of LPPC members and members of the public Kristen/Joe/All LPPC members
2. Review/modify today's proposed agenda LPPC members
3. Old Business:
 - a. Review, and approve October 21, 2019 meeting minutes LPPC members
 - b. Update on current CDDC 2020 legislative activities Bob
 - i. Sub-minimum wage elimination
 - Review & discuss legislative draft (in-person access only)
 - ii. Employment First Advisory Partnership (EFAP) reauthorization
 - Update on CDLE's current plan
 - iii. Alliance legislation to end the DD waitlist
 - Reply to CO DD Council's lack of support for rate increase mechanism
 - c. Disability Policy Seminar (CDDC budget update)
4. New Business:
 - a. Federal policy update: reopening the WIOA regulations to weaken the Competitive Integrated Employment definition
 - b. Other federal policy & legislative updates
5. Decision Items Kristen/Joe
6. Public Comment Public
7. Adjourn (Confirm next meeting date: 12.16.19)

Next Meeting: December 16, 2019

ADDENDUM: Next meeting January 6, 2020

DISCUSSION:

1. Kristen called the meeting to order at 10:08. Quorum established.
2. Old Business:
 - Approval of October meeting minutes:
 - Michael made a motion to approve the October meeting minutes Ali seconded. Committee approved.
3. Subminimum wage elimination:
 - Hoped for current legislative draft but the work group was working on it Friday to have done by close of business but revised draft has not been sent yet.
 - The word integrated will not be taken out.
 - Ellen Jensby worked on the draft and did a great job.

- Does have piece that refers to Employment First Advisory Partnership (EFAP) asking for this group to provide additional recommendations on building system capacity for employment services.
- Modifies Senate Bill 16-077 for EFAP to focus on this specific area.
- Next Steps: Colorado rates have historically favored in group employment and we are trying to seek ways to build rates that support getting people into competitive integrated employment. Funding drives the changes (you get what you pay for!).
- Suggests creating a new service categories including on-the-job supervision for individuals who may need ongoing employment supports, an individualized community connection option to allow for career exploration and social capital development, availability of ongoing benefits planning and expansion of the Medicaid Buy-in program to adults using the DD Waiver program.
- Departments are responsible for estimating the costs with a fiscal note on a bill. This could have significant impact on whether new service categories can remain in the final bill.

4. Employment First Bill Reauthorization (SB 16-077):

- Working directly with CDLE on this bill. Bob met with a number of their representatives last week.
- Has support of CDLE and state Department of Personnel Administration.
- One of the potential add-ons is related to the “State as model employer” for people with disabilities and would provide an additional five point credit for people with disabilities applying for state positions, similar to that presently provided to veterans.

5. Legislation to end DD Waitlist:

- The Alliance proposal to use the consumer price index (CPI) for future rate increases is controversial and not supported by HCPF.
- As discussed at the October Council meeting, we are also uncomfortable with this rate increase mechanism.
- In response to Council concerns Alliance provided the data results of their 2017 Request for Proposal (RFP) response study. This found that 35% of requests to agencies to provide services went unanswered and 67% of individuals with service funding authorization never got services (presumably because agencies couldn’t find staff).
- Service providers are increasingly not able to provide services because of the staff shortages and indicate future rate increases based on the CPI (instead of the current “common policy” mechanism) will allow them to hire staff and provide timely services. As a result, service agencies have indicated that serving more people from the wait list is challenging, if not impossible, without more robust rates from the state
- Bob stated that state rate issues seem to be preventing individuals from getting the proper care. People with IDD have the right to access the waiver services that have been funded by the legislature. Bob is also concerned that the Council is not part of advocating for wait list reduction if we do not support this effort.
 - Make a motion that the LPPC supports this and recommends to the full Council. Kristin made motion, Joe seconded. Committee approved to make the recommendation to the full Council to support the end of the waitlist proposal by Alliance. Gerrie opposed.

6. Disability Policy Seminar:

- Council had to analyze the budget based on the ITACC (the Council’s federal technical assistance entity) report that came out in September. Mackenzie is reviewing the budget and found we have very little discretionary fund. He felt that the Council might be able to send one person but no more. ITACC did agree that no more than one person should be sent; send either the committee chair or the staff person but not both.

7. New Business:

- Joelle said the LPP Committee could get an agenda item for 20 minutes and voting item for the End the Wait legislation at the Wednesday Council meeting.
- The federal autism bill (Autism CARES Act) passed both.
- The federal Transformation to Competitive Employment Act (TCEA), introduced to both the House and the Senate.
- The Able Age Adjustment Act (AAAA) would allow people to save up to \$100,000 and not be in risk of losing their Medicaid benefits. Currently one must have experienced the disability before the age of 26. This bill raises the onset of disability age to 46 and might impact another 4 million Americans.
- Another bill that no members of the CO delegation have signed on to co-sponsor is the Home and Community Based Services (HCBS) Home and Infrastructure Act (HCBSH&I Act).
- Motion made by Gerrie: members of the Colorado delegation should be contacted by Bob, representing the Council, to be educated, advised and informed about the TCEA, AAAA and HCBSHI Act. Gerrie made motion to request the members of Colorado delegation become co-sponsors of the three listed bills. Kristen seconded. Committee approved.

8. Public Comment:

- Klaus: Interesting to listen to today's discussion. As a parent of a child with an IDD there are fears that integrated employment will actually exclude his daughter.
- Donna: Sometimes cannot envision something we have not seen. Hopeful that models (like customized employment) being implemented through the Employment First initiative will allow people to understand that everyone can be employed no matter how significant the impact of disability.

9. Next meeting is scheduled for December 16th. **ADDENDUM:** The December 16th meeting was cancelled by the CDDC LPPC Chair and Vice Chair. Next meeting is scheduled for January 6, 2020.

10. Meeting adjourned at 12:00.

Motions:

1. Michael made a motion to approve the October meeting minutes Ali seconded. Committee approved.

Actions:

1. Bob will send the DD Waitlist document.
2. Alicia will review the data given by Alliance and review at the next Council meeting.
3. Bob will send document on how to respond to competitive employment.

Council Committee Members Present: Kristen Erby, Joseph Morrone, Ali Thompson, Cami Renfrow, Christine Owen

Council Committee Members Absent: Lisa Franklin,

Community Committee Members Present: Michael Hoover (disability rights representative and past Colorado Developmental Disabilities Council member), Gerrie Frohne (family advocate)

Guests: Donna Downing (past-president of the National Autism Committee), Klaus Whiteman (parent of a child with IDD)

Staff Present: Vanessa Hernandez, Robert Lawhead

MEETING DOCUMENTS

Draft LPPC meeting minutes for 10.21.19

Draft LPPC agenda for 11.18.19

Time Has Come To END the DD WAITLIST (PDF)

Letter from Ellen Jensby from Alliance Colorado