

**Background:**

Minutes of the November 3, 2011, Public Policy Committee meeting are included for your review.

**Executive Committee**

**Agenda Item 3.**

**Expected Action:**

The Committee will review, revise as appropriate, and approve.

**PUBLIC POLICY COMMITTEE MEETING  
DRAFT MINUTES  
NOVEMBER 3, 2011**

**COMMITTEE MEMBERS PRESENT**

Joe Rivas, Chair	Kevin Estes, HHSC	Sara Kendall, DARS
Hunter Adkins	Mary Faithfull, DRT	Penny Seay, UTCDS
Kristine Bissmeyer	Cindy Johnston	Lora Taylor
Mateo Delgado	Jeff Kaufmann, DADS	

**COMMITTEE MEMBERS ABSENT**

Michael Benz	Rick Tisch
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**STAFF MEMBERS PRESENT**

Belinda Carlton	Melissa Loe	Lucy Walker
Cassie Fisher	Melissa Rosser	Roger Webb

**GUESTS**

Chynna Burwell	Leticia Finely	Ileene Robinson
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**CALL TO ORDER**

The Public Policy Committee convened on Thursday, November 3, 2011, in the Capitol F Room of the Sheraton Austin at the Capitol; Austin, TX 78701. Committee Chair Joe Rivas called those present to order at 2:00 PM.

**1. INTRODUCTION**

Committee members, staff, and guests were introduced.

**2. PUBLIC COMMENTS**

Ileene Robinson recommended that Council members acquire a book that details legislators and staff with contact information.

**3. CHAIR'S REMARKS**

Public Policy Chair Joe Rivas indicated to the Committee that he is currently an instructor at two community colleges and was recently asked to serve on the board of directors for REACH of Dallas. Chair Rivas advised that he would like committee statements to last no longer than three to five minutes, with discussion being no longer than five to ten minutes. He recommended that guest speakers be allotted ten minutes for a presentation with minimal questions.

**4. MEMBER UPDATES**

Jeff Kauffmann, DADS, reported that the agency hired Don Henderson as a contractor (recently retired) to address direct support worker issues. In one month, Henderson has made notable progress.

**5. COMMITTEE REPRESENTATIVE TO NOMINATING COMMITTEE**

**MOTION:** To select Kristine Bissmeyer as the Public Policy Committee's representative to the Nominating Committee.

**MADE BY:** Cindy Johnston

**SECOND:** Lora Taylor

The motion **passed** unanimously.

## 6. PUBLIC POLICY ISSUES

### A. State Policy Issues

Executive Director Roger Webb briefed the committee on cost-containment efforts being implemented by the Department of Aging and Disability Services (DADS), at the request of the Legislature. A coalition of disability organizations collaborated to produce webinars in an effort to better inform the public about the impact that cost-containment measures could have on them.

Director Webb also briefed the committee on TCDD's participation in a workgroup to advise the Board of Nursing (BON) and DADS on the implementation of a new law pertaining to medication management in the Home and Community-based Services (HCS) and Texas Home Living (TxHML) waiver programs. During the 82<sup>nd</sup> legislative session legislators approved Senate Bill 1875, which authorizes the BON and DADS to allow staff other than a registered nurse to administer medication. Previously only registered nurses were permitted to administer medication for individuals in the HCS and TxHML program.

Director Webb provided a briefing on the implementation of Senate Bill 1075, which established an emergency announcement when individuals with intellectual and developmental disabilities are missing, similar to the Amber Alert for missing children or the Silver Alert for missing seniors. One area that remains to be settled is what to call the alert.

Communication Coordinator Melissa Loe updated the committee on the implementation of Early Childhood Intervention (ECI) funding cuts. Funding for ECI was reduced by 14 percent. Although children currently receiving services through the ECI program will not have services cut unless deemed appropriate during the child's annual review, the eligibility standards are more stringent for future participants.

Public Policy Specialist Belinda Carlton gave an update on a proposed rule under the Affordable Care Act intended to streamline the application process for Medicaid. However, the proposal would block access by some working people with disabilities to services and supports necessary to remain in the workforce. Therefore, TCDD submitted input to the Health and Human Services Department, bringing this matter to the department's attention.

### B. Update on State Supported Living Center Monitoring Activities

The Committee received a briefing from Public Policy Assistant Melissa Rosser on the efforts of the Department of Aging and Disability Services (DADS) to comply with the U.S. Department of Justice Settlement Agreement (SA) regarding state supported living centers (SSLCs). Overall, there was not significant improvement in the facilities' compliance with the SA. Improvement in compliance at Mexia and Lufkin SSLCs was nine percent from the first review to the second review. The level of compliance improved at six SSLCs from the first review to the second review, whereas three SSLCs stayed the same. Four SSLCs lowered compliance levels between the first and second reviews.

### C. Federal Policy Issues

The Committee discussed specific federal policy issues currently under consideration by the US Congress, including the reauthorization of education laws.

Belinda Carlton informed the committee that TCDD joined with other organizations in submitting comments regarding a Health and Human Services Commission (HHSC) proposal to restrict the number of prescriptions allowed for non-institutionalized adults to three per month. Because of the threat to health and safety this restriction would cause, HHSC determined that it will not pursue the limitation.

Webb updated the committee on the status of the federal budget, which is pending a decision of the supercommittee that was established to determine \$1.3 trillion in federal spending savings. Proposals from the supercommittee must be approved by the House and Senate by December 23. If this does not occur, there is an automatic provision for most programs to have funding reductions for FY 2013 of approximately 8% from funding levels for FY 2011.

Carlton also updated the committee on comments TCDD submitted to the U.S. Department of Housing and Urban Development regarding accessibility in manufactured housing.

Rosser provided the committee with information about the federal Elementary and Secondary Education Act (ESEA). The Senate Health, Education, Labor, and Pensions (HELP) Committee approved a bill that would reauthorize ESEA on October 20. The proposal would include a number of changes for students with disabilities, including Universal Design for Learning, Positive Behavioral Interventions and Supports, and Multi-Tiered Systems of Support. However, advocates are concerned about accountability measures and teacher qualifications in the bill.

Rosser also informed the committee about a notice of proposed rulemaking (NPRM) to amend the Individuals with Disabilities Education Act (IDEA). Changes are proposed regarding the circumstances under which a state or local educational agency may utilize a child's or parent's public benefits of insurance to pay for services.

#### 7. PUBLIC INFORMATION REPORT

Communication Coordinator Melissa Loe reported to the Committee about staff public information and outreach activities. Since the Council directed staff to create awareness and build connections, TCDD has participated in the Inclusion Team of Texas (ITT) with other disability groups to promote volunteerism as an inclusive activity for people with disabilities. Staff recently updated the Higher Education Resource Guide. The People First Language handout is the most requested TCDD resource. An academic book publisher recently requested to reprint it in a textbook. Staff continues to post information through our social media outlets, and the number of people following TCDD's updates continues to increase. In the next several months, TCDD will transition to a new website.

#### 7. STRATEGIES TO IMPROVE EARLY CHILDHOOD SERVICES

Following discussion during the August 2011 Council meetings on strategies to improve Early Childhood Services, the committee was informed that the National Early Childhood Technical Assistance Center (NECTAC) will be meeting later this year to discuss their strategic plan. NECTAC will inform TCDD if or when there is a need for additional collaboration on improving Early Childhood Services.

8. TCDD 2012 BIENNIAL DISABILITY REPORT UPDATE

The committee reviewed an initial outline of activities planned to complete the 2012 Biennial Disability Report. The Council approved a special focus for the 2012 report on *The interconnectivity of education with employment for individuals with developmental disabilities, including measures of consumer satisfaction*. Staff will explore relevant data that may be available from other state agencies. Staff will also oversee the administration of a survey instrument that will be distributed online, and personal stories will also be gathered on the special focus topic. Staff plan to solicit bids for technical writing of the report and hope to have a contractor selected before the February meeting.

9. STATE PLAN IMPLEMENTATION AND FUTURE FUNDING ACTIVITIES

The Committee had an initial discussion on the implementation of the State Plan Goals and Objectives. Discussion on specific suggestions will take place at the February meeting.

10. PUBLIC INPUT TO THE COUNCIL

The committee discussed the purposes for which public input would be desired and helpful. There was also discussion about which segments of the population from whom the Council would like to hear. The committee also discussed potential methods for receiving public input.

11. ADJOURN

There being no further business, Rivas adjourned the meeting at 4:51 PM.

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Roger A. Webb  
Secretary to the Council

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Date