



PUBLIC POLICY COMMITTEE

Thursday, March 8, 2018

2:00 P.M. – 3:00 P.M.

3839 North 3rd Street, Suite 306, Phoenix, Arizona 85012

DRAFT MINUTES

The Public Policy Standing Committee meeting of the Arizona Developmental Disabilities Planning Council (ADDPC) was convened Wednesday, November 1, 2017 at the ADDPC Office, 3839 North 3rd Street, Suite 306, Phoenix, Arizona 85012. Notice having been duly given. Present and absent were the following members of the ADDPC.

Members Present	
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Scott Lindbloom, Chairperson, Telephone	George Garcia, Telephone
Jason Snead, In Person	Jamie Edgin, Telephone
Katharine Levandowsky, Telephone	

Members Absent

Janna Murrell

Staff	Guests
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Erica McFadden, Executive Director	
Marcella Crane, Staff	
Becca Peterson, Intern	

A. Call to Order/Welcome

Chairperson Scott Lindbloom welcomed everyone to the Arizona Developmental Disabilities Planning Council (ADDPC or Council) Public Policy Standing Committee meeting. The meeting was called to order at 2:02 P.M. Roll call and participant introductions were completed.

B. Review of Minutes

The minutes from the November 1, 2017 Public Policy Standing Committee were reviewed. A motion was made by George Garcia to approve the minutes. The motion was seconded by Kathy Levandowsky. The motion carried.

C. Recap of state legislation

Marcella Crane spoke on a few state legislative bills making their way through the process. Staff will continue to monitor state legislation. Below is brief outline of the bills she stated:

SB1040: Prohibits the misrepresentation of an animal as a service animal and adds a civil penalty fee of \$250. Bill was heard in Senate Government and passed, but stalled thereafter.

SB1162: The silver alert notification system may be used to issue/coordinate alerts for missing persons with d.d. Passed Senate; Referred to House Government where it passed; awaiting third reading for final vote.

SB1198: Prohibits the restriction of custody, adoption, guardianship & fostering of a child who is visually blind. Pass Senate; referred to House Federalism, Property Rights & Public Policy.

SB1218: Third party inspection of I/DD homes, addressing licensure & investigations. Passed Senate; referred to House Health.

SB1254: Appropriates funding for the cost study for special education. Passed Senate; Referred to House Education and Approp.

SB1290: Procurement exemption for VR. Passed Senate; referred to House Health.

HB2087: Family caregiver income tax credit. Passed House; referred to Senate Finance & Approp.

HB2395: ID cards for service animals. Failed in the House.

SCR1016: Senate Concurrent Resolution to repeal voter approved Prop. 206 regarding minimum wage and sick time. Passed Senate Commerce & Public Safety. No other movement in the Senate.

D. Recap of federal legislation

House members in Congress drafted H.R. 620, a bill to amend the federal ADA Act of 1990 to “promote compliance through education, to clarify the requirements for demand letters, to provide for a notice and cure period before the commencement of a private civil action, and for other purposes.” The ADA is a fundamental civil rights law that ensures the right of people with disabilities to access all public businesses. As currently drafted, the bill amends the ADA by providing business who do not currently comply with the ADA law to now have a ‘wait and see’ attitude, until they happen to be sued or sent a notice letter. Amended provisions state business owners would have 60 days to even acknowledge that there is a problem, and then another 120 days to begin to fix the problem. In addition, businesses would not even face any consequence for violating the ADA. The bill currently passed the House and was sent to the Senate on 2/26/18. Staff will monitor the bill and provide updates as necessary.

Also being monitored is how Congress and the President will negotiate the development of the federal appropriations bills. The release of the president budget for FFY 19 proposed many cuts and changes to Medicare, Medicaid, SSI, SSDI, SNAP and housing vouchers. Congress also has to contend with a looming concurrent resolution that only funded the federal government until March 23.

E. Medicaid Waiver Update

Arizona's Medicaid agency, Arizona Health Care Cost Containment System or better known as AHCCCS, submitted a Section 1115 Medicaid waiver that would institute a lifetime cap on Medicaid coverage and impose work requirements on enrollees. AHCCCS is awaiting final approval by the Centers for Medicare & Medicaid Services (CMS). The big three changes include the following:

1. Individuals between the ages of 19-54 who are physically and mentally capable of working and are between 0-138% of the Federal Poverty Rate would be required to hold employment, attend school, attend an Employment Support and Development program or some combination of those activities for at least 20 hours per week in order to maintain their Medicaid coverage.
2. Able-bodied adults who are subject to the work requirements would be limited to five years maximum lifetime coverage.
3. Eligible individuals must verify their employment monthly to retain benefits, and if found ineligible, the person will have three months to comply with the rules. If an individual fails to notify the state about a change in their compliance status, the person can be banned from Medicaid benefits for up to a full year.

Individuals who are exempted from this work requirement include American Indians, people with serious mental illness, domestic violence victims, people who are homeless, and a number of other populations. AHCCCS does not have information on how many people would be impacted by this new requirement, have a definition of 'able-bodied', or has there been analysis on the additional cost to AHCCCS for a new system to implement the provisions of the waiver, or how often do states need to report back to CMS. As this rolls out in AZ, all interested parties should provide feedback to AHCCCS, and staff will continue to monitor.

F. Projects Update by Becca Peterson, Intern

Becca Peterson, a MSW student with ASU, is a current intern with the Council researching two issues – 1. Supported Decision Making and 2. Voting Rights for persons with I/DD. Becca stated that she has been communicating with Gompers to identify the barriers to register and vote for people with I/DD that attend their day program. Last year, with assistance by the Maricopa County Recorder's Office, 39 individuals were registered to vote, however only 3 casted their ballot when it was time during an election due to it was a local election. In trying to understand the low number of those casted ballot or push back by family members, some common themes (barriers) began to emerge to include parents or guardians do not want their children to vote, lack of accessible information/materials, lack of interest in the person's right to vote by family members/guardians, misinformation about whether a person can vote if under limited or full guardianship. The current work plan has set aside funding to do a small scale project, but it's evident that more research needs to be done on the barriers before any project can be funded. Becca also spoke briefly on the research she has done regarding Supported Decision Making. It's a way for person with I/DD to have support by someone they trust to help them with gathering information on an issue and help them with various decisions they can make – the ultimate decision is their's alone to make. It's a way for states to move away from limited or full guardianship to allow a

person their right to make choices for themselves. 38 states have moved towards this direction.

G. ADA Coordinator, City Survey

Erica McFadden gave an update on the ADA survey developed to obtain information from Arizona's 91 cities and municipalities. Casey Paschall, ADDPC's Intern has taken the lead on this, by contacting the local municipalities, but only having a 30% feedback rate. Casey will follow up with localities he has not heard back, as we would like to a 60% feedback rate and write up a final report.

F. Adjourn

A motion to adjourn the meeting was made by Jason Snead. Motion was seconded by George Garcia. The motion carried; the meeting adjourned at 3:02 P.M.

Dated this 9th day of March, 2018
Arizona Developmental Disabilities Planning Council