

WV DEVELOPMENTAL DISABILITIES COUNCIL  
Quarterly Meeting  
April 17, 2018  
Bridgeport Conference Center, Bridgeport, WV

MINUTES

Members present: Kenneth Accord, Doug Auten, Brandy Beery, Angie Breeden, Lesley Cottrell, Delmar Davis, Julie Dial, James Gallaher, Susan Given, Pat Nisbet, Jacqueline Proctor, Pam Roush for Christina Mullins, Tara Roush, Matthew Wink, and Sheila Zickefoose.

Members absent: Greg Bilonick, Rhonda Blosser, Cali Brill, Patty Combs, Marc Ellison, Dawn Embry-King, Richard Hammons, Beth Morrison, Kristin O'Neal, Wanda Proffitt, Jon Sassi, Laura Sperry-Barno, and Rebecca Stone.

Guests: Steve Brady (BHFF), JaQue Galloway (awaiting appointment), and Kristi Pritt (State Treasurer's office).

Staff present: Christy Black, Jim Cremeans, Linda Higgs, and Steve Wiseman.

**Call to Order, Welcome, Introductions:** Angie called the meeting to order and invited Members to introduce themselves. JaQue attended the meeting as a guest while waiting for her appointment to the Council.

**Announcements:** Steve informed Members Angie submitted a proposal to present at the annual conference of the National Association of Councils on Developmental Disabilities (NACDD) which was accepted.

Angie spoke of the absence of Rebecca due to the recent death of her son and invited Members to sign a card that was circulated.

Linda explained the "extras" each Member found at their seat. Included were Council promotional items recently purchased to have with the display and copies of *On the Outside*, a book which resulted from a Council project around the time of the closure of the State's last large institution for people with developmental disabilities, Colin Anderson Center, twenty years ago. The books were distributed to help Members become more familiar with that time in State as background for the July retreat.

Susan announced a new protection and advocacy program related to beneficiaries of Social Security, brought about by a bill signed by President Trump.

Angie reviewed items in Members' packets.

**Mission Statement Reminder:** Matthew read the *Mission Statement*.

**Public Comment:** None

**Approval of January 23, 2018 Minutes:** Jacqueline moved, and Sheila seconded the motion to approve the Minutes. **Motion carried.**

### **New Business**

**Budget Update:** Steve provided a brief update of the status of Council funding and recommended \$32,000 be made available for Designated Stipends. These are funds given to organizations in the state holding state-wide conferences with topics of interest to people with developmental disabilities and/or their families. The intent is to off-set the costs of attending.

The Call for Investments (CFI) will go out in early May to solicit new projects which will begin October 1<sup>st</sup>. Ideas for projects come from the Council's *Five Year Plan* goals for supports and services, advocacy, and building competencies of communities. Steve recommend \$60,000 be set aside for the upcoming Call for Investments.

**Designated Stipends Allotment:** Delmar moved, and Julie seconded the motion to approve \$32,000 for Designated Stipends. **Motion carried.**

**Call for Investments Allotment:** Tara moved, and Jacqueline seconded the motion to approve \$60,000 for the Call for Investments. **Motion carried.**

Pat asked why the Council's other grants are not contracts. Steve explained our federal partners prefer grants. The Council also gets its required match for federal funds through grantees. He further explained that DHHR has a set of questions for subrecipient (grantee) versus vendor determination.

## **Nominating Committee**

**Approval of nominations for Governor's appointment:** Patty Combs chaired the Nominating Committee. In her absence, Lesley reported the Council has five Members whose first terms expire June 30th and who are eligible for second terms. Each of the five (Angie, Delmar, Julie, Kristin, and Sheila) submitted applications. **Lesley moved** on behalf of the Nominating Committee that the applications for Angie Breeden, Delmar Davis, Julie Dial, Kristin O'Neal, and Sheila Zickefoose be forwarded to the Governor for appointments to terms ending June 30, 2022. **Kenneth seconded** the motion. **Motion carried.**

Julie Dial reported the Council has three other positions to fill: Greg Bilonick's second term ends June 30<sup>th</sup>, and Jonathan Chaffin and Melvin West have resigned. Terms for Jonathan and Melvin end June 30, 2020. The Council received twelve applications, 10 from parents and two from people with developmental disabilities. She provided information on the three applicants being recommended by the Committee.

**Julie moved** on behalf of the Nominating Committee that the application for Lynsay Frye be sent to the Governor's office for appointment to a term ending June 30, 2022. **Lesley seconded** the motion. **Motion carried.**

**Julie moved** on behalf of the Nominating Committee that the applications for Tonya Eve and Susan Loudermilk be sent to the Governor's office for appointment of terms ending June 30, 2020. **Lesley seconded** the motion. **Motion carried.**

**Election of Council Chairperson:** Julie explained it is the role of the Nominating Committee to put forth a recommendation to the Council to fill the position of Council Chair. The Committee unanimously agreed to recommend Angie for another two-year term as Chair and Angie has indicated she would be willing to serve. **Julie moved** on behalf of the Nominating Committee that Angie Breeden be elected Chair of the Council for a term ending June 30, 2020. **Lesley seconded** the motion. **Motion carried.**

**Election of Executive Committee Members:** Angie reviewed the Ballot for election of three Members to the Executive Committee for two-year terms. Expiring Members include Delmar Davis, Kristin O'Neal, and Christina Mullins. Members were encouraged to have their name placed on the ballot if they were interested in being considered for a position on the committee. Those who

responded were Delmar Davis (person with a developmental disability), Christina Mullins (State agency representative), and Matthew Wink (parent).

Angie asked if there were any nominations from the floor. Tara Roush nominated herself and Matthew Wink nominated Brandy Beery. Angie instructed Members to add Tara and Brandy's names to the ballot and then vote for three. After ballots were collected and counted, the Executive Committee Members were announced as Delmar Davis, Christina Mullins, and Matthew Wink. Each will serve a term of two years ending June 30, 2020.

## **Reports**

**Employment First Workgroup:** Doug Auten reported for the workgroup in the absence of the chair, Kristin O'Neal. Members received a copy of the report by the consultant to the Workgroup, Debra Luecking, Ed.D., which details the findings of the recent Community Conversations. The report identified four predominant themes that came from the discussions that the Council, relevant State agencies, and communities should address: 1) Increase outreach and education to parents, students and employers; 2) Work on improving school to work transition and work exploration opportunities; 3) Support students in having a range of community experiences and meeting a variety of people; and 4) Strengthen community connections and collaboration between parents, students, schools, the business community, and post-high school training programs.

**Final Legislative Report:** Christy provided Members with an update following the end of the session. She remarked that she was very successful at being able to meet with legislators at the beginning of the session but couldn't get appointments after the first two weeks, mainly because of the teachers' presence at the Capitol. Bills dealing with education savings accounts and charter schools were not taken up but are expected to appear next session. She reported the budget bill was passed during the regular session, and most of the line items she was monitoring were level funded. She mentioned the ABLE account line was left out of the original budget bill but, after some advocacy by the Council and others, the \$150,000 was restored. This funding is important to run the program in WV. She also mentioned two bills that will be discussed later in the meeting: SB575, which allows additional intermediate care facility beds; and HB4035, which creates a legislative coalition to study palliative care. Members received information and updates about these two bills during the session.

On the federal level, the omnibus bill passed and was signed by President Trump. It included funding for Councils and their network partners (Protection and Advocacy programs and University Centers for Excellence in Developmental Disabilities). For the current FFY18, DD Councils received an increase from \$73 million to \$76 million. P&As were increased from \$38.7 million to \$40.7 million; UCEDDs were increased from \$38.6 million to \$40.6 million. Adult employment and youth activities received a 3% increase, IDEA received a 2% increase in Part B and Part C funding, and vocational rehabilitation state grants received a 1.6% increase in funding. Unfortunately, the supported employment state grants under the Rehabilitation Services Administration were cut 18.2%.

Christy also informed Members the *ADA Education and Reform Act*, HR620 would significantly damage the *Americans with Disabilities Act* by eliminating incentives for businesses of any size to make their facilities accessible. A letter signed by 43 Senators opposing this bill was sent to Senator McConnell, and for now the bill has been put on hold.

In education, Christy advised that officials at the federal Department of Education have indicated they intend to remove documents developed in 2014 which provide guidance on discrimination free discipline in schools. Studies show that students with disabilities as well as other minorities are suspended more than other students. Although the law has not changed, the guidance document serves as a resource for educators. A letter signed by 145 organizations, including the national associations for DD Councils and protection and advocacy programs, and Disability Rights of WV, has been sent requesting the documents not be removed or revised.

**PIP Update:** Christy informed Members that the current Partners in Policymaking class will graduate in May. The number of participants was down this year due to several reasons. Matthew questioned the possibility of participating by Skype for those who live a great distance from Charleston. Jacqueline suggested Google Hangout might be an option, as well as looking for technology resources at colleges and universities. A discussion continued about what options might be available and the possibility of forming a workgroup to look at what can be done.

**Members' Comments and Concerns:** Since there was still time before lunch, Angie suggested moving on to the Members' Comments and Concerns section of the Agenda.

Susan mentioned an update to the collaborative initiative between Disability Rights of WV and the DD Council which developed the *Parent's Advocacy Guide* (PAG).

A series of eight videos, one for each chapter, is being developed. The videos will be between three and five minutes in length and will include some role play.

Julie mentioned she now works for the WV Parent Training Initiative (PTI), which helps parents with education related issues. She regularly used the PAG. Susan reported that for most of the education related calls her organization receives, they suggest parents use the PAG and then call back if they need further assistance.

Pat reported BMS is looking for volunteers to participate on a stakeholder group to design WV's Electronic Visit Verification (EVV) system. She will send information to Linda which can be posted to the Council's Facebook page to assist in recruiting efforts.

**Discussion of Palliative Care Bill:** Linda reported before lunch on the Council's concerns and involvement with the bill introduced last session creating a coalition to study palliative care. Members received the Council's original and revised position papers on the bill. She mentioned that, although the bill was supposed to be about palliative care, it included troubling language about "quality of life," the End of Life Center at WVU, and hospice care. Council staff worked with the Cancer Advocacy Network, AARP, and the bill sponsor to remove references related to quality of life and direct it back towards the palliative care intent. The bill passed with the changes proposed. Jacqueline responded that this demonstrates the importance of advocacy as well as knowledge on behalf of people with disabilities.

**WV ABLE:** Kristi Pritt, with the WVABLE Savings Program from the State Treasurer's office, provided an informational session for Members on ABLE accounts. A copy of the presentation was in Members' packets. Following the presentation, she stressed the importance of spreading the word and encouraging people to open accounts.

**Discussion of ICF Bill/Testimonies on ICF Bill:** Linda began this portion of the meeting by sharing some citations given by the Office of Health Facilities Licensure and Certification (OHFLAC) to various facilities around the State, either as a result of complaint investigations or regular survey visits.

Steve then provided information about current intermediate care facilities (ICFs), the moratorium on the building of more such facilities, and the bill introduced to build three facilities with eight beds each with the ability to build more at the

discretion of the Secretary of DHHR. He reiterated that although advocates were able to get changes made to the bill, including reducing the size to six facilities of four beds each, some requirements of the DHHR to ensure people will move to less restrictive settings, and the establishment of an oversight committee, the Council's position has not changed, it remains opposed to the building of any ICF beds.

Angie followed by telling Members about her request on behalf of the Council for a public hearing, allowing people other than the DHHR staff to speak to the Committee about the proposed bill. The testimony provided by DD Council Members and staff were included in Members' packets and was also given verbally.

**Completion of Meeting Evaluation Forms:** Angie encouraged Members to complete the meeting feedback forms before leaving and told them the Executive Committee reviews them and uses the information when making decisions about future meetings.

Steve reminded Members of the July meeting and retreat, July 24<sup>th</sup> and 25<sup>th</sup>, at Canaan Valley Resort. Members are welcome to bring family members. There are plenty of things to do in the area while Council Members meet. Jack Pealer, a training consultant to the Council in years past, will be leading the retreat. The theme will be "How to Go Forward."

**Adjournment:** Tara moved and Sheila seconded the motion to adjourn. **Motion carried.**