

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

QUARTERLY MEETING MINUTES

**Juneau, Alaska
February 2 – 4, 2016**

February 2, 2016

Council Members Present:

Jill Burkert
Anthony Cravalho
Art Delaune - telephonic
David Fleurant
Dean Gates
Jeanne Gerhardt-Cyrus
Alex Gimarc
Heidi Haas - telephonic
Mallory Hamilton
Alexis Henning
Christine King
David Kohler
Sara Kveum
Margaret Kossler
Grace Abbott for Rep. Charisse Millett
Lelia (Lucy) Odden - telephonic
Amy Simpson – Chair
Maggie Winston

Council Staff:

Patrick Reinhart, Executive Director
Rich Sanders, Planner III
Brittney Howell, Research Analyst III
Christie Reinhardt, Program Coordinator I - telephonic
Kristin Vandagriff, Program Coordinator II
Ian Miner, Office Assistant II

CART Provided by Lenny DiPaolo, Peninsula Reporting
Minutes Prepared by Paula DiPaolo, Peninsula Reporting

Tuesday, February 2, 2016

CALL TO ORDER/ROLL CALL – 8:30 a.m.

ANNOUNCEMENTS AND INTRODUCTIONS

Council members and guests introduced themselves.

APPROVAL OF THE AGENDA

Jill Burkert MOVED to approve the amended agenda, **SECONDED** by **Mallory Hamilton**. The motion **PASSED**.

APPROVAL OF THE MINUTES FROM THE OCTOBER 2015 MEETING

Christine King MOVED to approve the October 2015 minutes as written, **SECONDED** by **Lucy Odden**. The motion **PASSED**.

CONFLICT OF INTEREST DECLARATIONS

No Council members had conflicts of interest to declare.

CHAIR'S REPORT

Chair Simpson welcomed new Council members **Maggie Winston, Sara Kveum, Sandra Dehart-Mayor, David Kohler, and Edna DeVries**, and introduced the Council's Executive Committee members, **Lucy Odden, Angelina Fraize, Art Delaune, David Kohler, Jeanne Gerhardt-Cyrus, and Mallory Hamilton**.

Chair Simpson reported as follows:

Activities:

- Completed evaluation of executive director.
- Participated in Medicaid community forums.
- Governor's Council PPR survey to the general public.
- State Plan survey to the general public.
- Preparation for Key Campaign
- Letter of support for the Alaska Commission on Aging (ACoA).

Patrick Reinhart explained that the Alaska Commission on Aging sunsets as of June 30th, 2016. Legislation has been introduced to re-authorize ACoA for another eight years.

Continued Activities:

- Education on the impact of Medicaid 1915(i) and (k) State Plan Options.
- Several letters to SDS on regulation changes.
- ABLE Act – Achieving Better Life Experience Act.
- Five-Year State Plan forums and other work.

EXECUTIVE DIRECTOR'S REPORT

Patrick Reinhart reported to the Council as follows:

Staff Update/Changes

- Welcome back to Rich Sanders.
- Full staffing for the first time in four years.
- Staff retreat held in Girdwood in late October.
- Employee evaluations are caught up.
- Good budget wise through FY' 17.

Council Member Updates

- Welcome new Council members.
- Five Council members reappointed:
 - **Christine King**
 - **Dean Gates**
 - **Amy Simpson**
 - **Margaret Kossler**
 - **Jeanne Gerhardt-Cyrus**
- Total Council members – 24, down from 28.

Dave Fleurant noted that he has staff at Disability Law Center who would be interested in participating in Council committees, and he is unsure if he is allowed to designate any of his staff to fill his DLC seat on a committee to fill his role as a voting member. **Patrick Reinhart** stated that oftentimes committees have other non-voting community members to fill a designated seat on a committee, for example the EIC being the Interagency Coordinating Council and the Education Committee being the Special Education Advisory Panel. But **Patrick** also noted that they do need to clarify if a Council member can have an agency representative attend by proxy for that voting Council member. **Christie Reinhardt** also noted that DLC has a seat on the Education Committee that needs to be filled, and if it can be filled with one of **Dave Fleurant's** staff, that would be great. **Dave** noted that he has staff that are interested in serving on both the EIC and the Ed Committee.

Reports/Surveys, Etc.

- Autism Five-Year Plan (CR).
- State Plan, program performance, and consumer surveys distributed and analyzed (BH).
- Wrote and submitted Council comments to SDS on the General Relief Program regulations and SDS transition plan on CMS settings rule.
- Review of the 2015 EI/ILP Program Performance Report (CR/EIC).
- 2015 Federal DD Program Performance Report (PPR) submitted.
- Legislative positions developed (RN/PR/Leg Comm).
- Comments on regulations on FASD/OHI submitted to State Board of Education (CR/Ed Comm/FASD Workgroup).
- 2015 Annual Report (BH).
- Certificate of Employment Services training submitted to ACRE for approval (KV).

- Over 4,300 Get Ready! Toolkits and 2,660 Safety Kept in Place (SKIP) kits distributed last year (LM).
- Provided input to SDS as part of the steering committee for Inclusive Community Choices Council (PR/BH).
- Provided final comments to Senator Murkowski and Senator Sullivan on Elementary and Secondary Education Act Reauthorization (CR/Ed Comm).
- Alaska Integrated Employment Initiative (AIEI) federal report submitted (KV).

Trainings, Presentations, and Important Meetings

- Two Council members attended Zero to Three Conference in Seattle (AS/AF).
- Anchorage Film Festival “Autism in Love” showing.
- Deaf Education Board meeting (CR and Ed Comm).
- SESA Board meeting and holiday celebration (PR/AC/JG-C/DE/MW).
- Autism Screening and Diagnosis planning (CR).
- State Systemic Improvement Plan (SSIP) Part C planning (CR).
- Three Medicaid Redesign and Reform Meetings (PR/BH).
- National Center for System Improvement Technical Assistance meeting in Chicago (CR/Parent/ILP staff).
- Disability Benefits 101 stakeholder meetings (RS/KV/RN).
- Business Employment Services Team kick-off event (KV).
- Microenterprise proposal review (KV).
- DD mini grant proposal review (CR).
- TBI mini grant proposal review (BH), which is now being done by ABIN staff.
- State Plan forums around the state.
- Alaska Mobility Coalition (PR).
- AADD meeting 10/22 face-to-face and monthly updates.
- Key 2016 planning and scholarships (RN).
- Aging and Disability Resource Center Steering Committee (PR).
- Alaska Coordinated Transportation Workgroup (PR).
- AIEI Board meeting (KV).
- Legislative community forum on ABLE Act (PR/RS/BH).
- Governor’s Housing Summit (PR/BH).
- Alaska Health Policy Summit (PR/BH).
- Statewide Independent Living Council (PR/RS).
- State Vocational Rehabilitation Council (KV/RN).
- Attended Frontline Leadership Institute, December 1 – 3, Homer (BH).
- State Plan community forums in Soldotna, Sitka, Mat-Su, Kotzebue, Ketchikan, Homer, Fairbanks, Eagle River, Cordova, Bethel, Anchorage (all staff).

Upcoming Priorities (besides legislative session)

- Complex Behavioral Solutions Group.
- Trust meetings.
- Inclusive Community Choices Council.
- Disability Benefit 101 Design Group.

- ASSEC Conference and Inclusive Practice Award (2/9)
- Continue on DD and MEP mini grant reviews.
- HB 161: Durable medical equipment reuse regulation review and comment.
- Key Campaign and AADD face-to-face 2/17 – 2/19.
- New Aging and Disabilities Coalition forming (BH/LM with Special Olympics).
- Stone Soup Conference.
- Council on Housing and Homelessness.
- Project SEARCH expansion meetings (Anc/Jnu).
- Full Lives Conference 3/30 – 3/31 (KV/BH planning).
- BEST/OFCCP Agency Networking Event
- National PIE grantee meeting, 3/17 – 3/18.
- SESA Board.
- Next Council meeting, May 3 – 4 (videoconference).
- Full Trust meeting, May 5.
- Five-Year State Plan draft.
- Restarting DDDR ad hoc committee with SDS.

Patrick Reinhart added that they have approached the State of Alaska about starting a Project SEARCH site within State government. The Department of Administration Division of Personnel has rejected the concept twice. He stated that it may be an idea they approach the Governor with at tonight's reception at the Governor's mansion.

COUNCIL ORIENTATION

Patrick Reinhart reviewed a Council orientation PowerPoint with Council members that described the Council responsibilities, makeup of the Council, committees, funding sources, and Council member responsibilities and duties.

RESULTS FROM COMMUNITY FORUMS

Brittney Howell reviewed the results of the data collection for the Five-Year State Plan as follows:

Methodologies:

- Past five years of public testimony transcripts from Council meetings.
- Public input survey
- Community forum transcripts from Soldotna, Sitka, Mat-Su, Kotzebue, Ketchikan, Homer, Fairbanks, Eagle River, Cordova, Bethel, Anchorage.

Results:

- Aging of people with I/DD
- Caregiver supports
- Fight waitlist reductions
- Autism resources and support
- Inclusive childcare

- Supported employment programs
- Obtain services/eligibility for FASDs
- Accessible transportation options
- Telepractice initiatives
- Workforce development and training opportunities for DSPs/Sped/paras
- Increased inclusion into communities
- Medicaid reforms that expand services.

Brittney Howell stated that committee objectives and/or two-year work plan items should address these community concerns.

NEW STATE PLAN UPDATE

Rich Sanders began his presentation into the update of the Five-Year State Plan by stating that it is a requirement of the Administration on Developmental Disabilities and is a blueprint for the Council activities over the next five years that focus on results for Alaskans with developmental disabilities and their families. The DD Act requires the Council to specify five-year goals as developed through data-driven strategic planning for advocacy, capacity building, and systemic change related to the areas of emphasis to be undertaken.

Rich Sanders stated that the template for the Five-Year Plan has goals, objectives, and expected outcomes. The Council has employed the SMART method in this process, which provides a framework to ensure well-written objectives. SMART stands for Specific, Measurable, Achievable, Realistic, and Time-phased.

Rich Sanders then reviewed the Five-Year State Plan goals and objectives the Council committees and their support staff have developed as follows:

GOAL 1: *Improve service delivery to empower individuals with intellectual and developmental disabilities to live and thrive in their communities with formal and informal supports and services that promote independence.*

Objectives:

1. Advocate for early intervention and appropriate life-long service access for all populations who experience disabilities, including those with FASD, TBI, Alzheimer's/dementia, and other disabilities who are historically un- and under-served.
2. Monitor, review, and comment on state law, regulations, and policy changes around the delivery of I/DD services in Alaska and participate in Medicaid reform and related services.
3. Support the workgroup on FASD to develop recommendations for improved services to this underserved population.
4. Explore and create a multidisciplinary, person-centered autism infrastructure of centralized coordination and collaboration to improve referral, diagnosis, education, training, and services for professionals, individuals on the autism spectrum, and their families.

5. Advocate for caregiver/provider support through the lifespan.
6. By the end of each fiscal year, strengthen and expand the opportunities for individuals with disabilities and their families to participate in advocacy efforts that improve policies.

GOAL 2: *Strengthen policies and programs so that infants and toddlers with disabilities, their families, and caregivers receive appropriate early intervention supports and services.*

Objectives:

1. Assist, advise, and collaborate with statewide partners to optimize funding and program parity in Alaska's Early Intervention/Infant Learning Program.
2. Increase the knowledge of professionals and families of infants and toddlers with disabilities resulting in appropriate early screenings, identifications, referrals, and interventions.
3. Collaborate and coordinate to improve the number, scope, and practice of early childhood professionals.
4. Assist in increasing and expanding the utilization and availability of inclusive childcare for infants and toddlers with disabilities statewide.
5. Meet federally mandated requirements as Alaska's Interagency Coordinating Council for Infants and Toddlers with Disabilities under Part C of the Individuals with Disabilities Education Act.

GOAL 3: *Have access to appropriate curriculum, inclusion, support, and resources to acquire the skills necessary for educational success and future independence.*

Objectives

1. Participate in collaborative initiatives to improve graduation rates for students with disabilities.
2. Research, advise, and assist with statewide efforts to improve post-secondary transition for students with disabilities.
3. Identify and advocate for activities that enhance the training, recruitment, retention, and professional development of education professionals to meet the needs of students with disabilities.
4. Meet the federally mandated requirements as Alaska's Special Education Advisory Panel under the Individuals with Disabilities Education Act.
5. Govern the Special Education Service Agency to ensure they meet their statutorily mandated responsibilities.

GOAL 4: *Alaskans with disabilities and their families will receive the necessary employment services and supports needed to become competitively employed in an integrated setting.*

Objectives:

1. Oversee implementation of the Employment First Act.
2. Advocate for Alaska ABLE Act legislation, and upon passage, oversee implementation.

3. Increase career pathways for youth with disabilities in transition.
4. Work with partners to develop and implement a plan to double the number of individuals with intellectual and developmental disabilities who are employed by December 2021.
5. Increase opportunities for individuals with intellectual and developmental disabilities to become self-employed using the Microenterprise Program.

GOAL 5: *Alaskans with disabilities will have greater access to health care services that will improve their quality of life.*

Objectives:

1. Increase the number of individuals experiencing disabilities who are prepared for a local or statewide disaster.
2. Provide training to individuals experiencing disabilities, direct care professionals, and caregivers regarding emergency preparedness.
3. Provide training to individuals experiencing disabilities, direct care professionals, and caregivers regarding health promotion for individuals with disabilities.
4. Collaborate with partners to increase the number of individuals aging with I/DD that have appropriate support systems in place.
5. Implement the Alaska Safety Planning Empowerment Network in communities to better meet the needs of individuals with disabilities who are victims of sexual or physical assault and/or stalking.
6. Support Council members, self-advocates, and family members to comment on proposed health regulations that impact the lives of people with disabilities.

Next Steps:

- Committees finalize two-year work plans.
- Executive Committee reviews work plans (March).
- Council staff begin development of narratives.
- Review and approval of final draft (May).
- Public comment on final draft.
- Final submission to AIDD (August 2016).

DEVELOPMENTAL DISABILITIES COMMITTEE REPORT

Jeanne Gerhardt-Cyrus provided the DD Committee report as follows:

Update on Activities:

- Provided comment on the Revised State Transition Plan for home and community-based service settings.
- Commented on changes to the DD determinations policies.
- Provided feedback to the Medicaid Ad Hoc Committee on waiver performance measures and waitlist draw reductions.
- Hosted guest speaker, Roy Scheller, Ph.D., to speak about Hope Community Resources' intentional communities.

- Met with Access Alaska representative and addressed initial steps to providing comment on the implementation of CSHB 161 – reuse of durable medical equipment.
- Worked with SDS to address I/DD eligibility, waiver eligibility, TEFRA, and STAR discretionary funds.
- Wrote public comment on the proposed General Relief Program waitlist.
- Drafted objectives for the Five-Year State Plan.
- Attended waiver rate setting meeting/webinar on December 17 with Office of Rate Review.
- Attended Healthcare Policy Summit at Dena’ina, December 16.
- Participated in work sessions at Governor’s Housing Summit at UAA January 6.
- Contributed subject matter expertise to AHFC on their new 811 Program for permanent supportive housing for people with disabilities.
- Full Lives Conference planning.
- Staff membership on Hope Community Resources Research and Development Committee.
- Participating in Medicaid Inclusive Communities Council steering and advisory committees.
- Attending Council on Housing and Homelessness meetings.

FY’16 Next Steps:

- Work with the Telepractice Ad Hoc Committee to increase availability of assessments and services conducted remotely.
- Continue to monitor development of 1915(i) and (k) options and provide comment with the Medicaid Ad Hoc Committee.
- Advocate to address other components of Medicaid expansion and reform.
- Provide comment to Office of Rate Review on systems that support a living wage for direct service professionals and workforce development.
- Continue to work with and provide recommendations to SDS on a waitlist solution.
- Work on reuse and recycling program for durable medical equipment.

FASD WORKGROUP REPORT

Jeanne Gerhardt-Cyrus gave the presentation for the FASD Workgroup as follows:

FY’15 Accomplishments:

- Advocated for inclusion of FASD during SDS’s Medicaid community forums.
- Participated in monthly Alaska FASD Partnership steering committee meetings.
- Receive monthly updates from the diagnostic clinics in the state.
- Had guest speakers from the Legislative Committee chair on SB 64, AWARE Program, the Trust on Medicaid changes and potential impacts, and the Kenai School District on new teacher evaluation system.
- Crafted objective on FASD for the Five-Year State Plan.
- With Education Committee, passed regulations for the Department of Education and Early Development that defines FASD as an “other health impairment” to qualify for special education services and allows advanced nurse practitioners to diagnose FASD.

FY'16 Ongoing Work Activities:

- Monitor Medicaid changes
- Advocate on the Inclusive Community Choices Council for the expansion of HCBS waiver services to include individuals with FASD and others who do not meet institutional level of care.
- Review proposed changes and provide comment to the 1915(c), (i), and (k) state plans or waiver amendments/renewals.

MEDICAID AD HOC COMMITTEE REPORT

Dean Gates provided the Medicaid Ad Hoc Committee report as follows:

Progress Since October Meeting:

- Crafted and submitted Council comment on SDS's second draft of the transition plan on HCBS settings.
- Submitted Council comment on changes to SDS's Developmental Disabilities Registration and Review (DDRR) policies.

FY16 Ongoing Work Activities

- Member participating in SDS's Inclusive Community Choices Council.
- Restarting DDRR ad hoc committee with SDS staff.
- Will comment on SDS's third draft of transition plan on settings.
- Will write Council comment on SDS's conflict-free care coordination system and other waiver renewal changes (due to CMS April 20, 2016).

EARLY INTERVENTION COMMITTEE (EIC) REPORT

Christie Reinhardt began the presentation for the EIC by stating that the Alaska Early Intervention/Infant Learning Program is moving from the Office of Children's Services to the Division of Senior and Disabilities Services. The program is currently funded at current levels in the Governor's budget as part of SDS, but they still need to get through the legislative session to see what the funding will ultimately be. Meetings with the Alaska Infant Learning Program Association, the EIC, and the State staff are taking place in preparation for the move.

Christie Reinhardt further explained that SDS's vision for the move is that there is an alignment of vision, mission, and key principals and goals and resources between ILP and the division and department. There will be increase of family involvement, and they will be able to maximize improved developmental outcomes for children and families by making resources count. The program's vision for the move is that SDS understand Part C programs, understand the important impact of early intervention on children and families, that EI/ILP has a concrete identity within SDS, SDS has a disability background and an understanding of billing, that SDS will have an understanding of the unique needs of the workforce, has a knowledge of working with tribal organizations, and there will be a continuity in ILP administration.

Accomplishments Since October:

- EIC members and staff participated in leadership and stakeholder development at the Social Emotional Community of Practice in Chicago, DaSY Family Data Institute in Atlanta, and the Zero to Three Conference in Seattle.
- Provided stakeholder input to the WCFH Children and Youth with Special Healthcare Needs Program strategic plan.
- Attended the Deaf Education Board fall meeting. An EIC member is now on that board.

FY'16 Ongoing Work Activities

- Currently the EIC is working on their letter to the Office of Special Education Programs. This letter must be included with the State Performance Plan/Annual Performance Plan (SPP/APR). It is due on February 1. EIC had a presentation from the EI/ILP in January. They will take the SPP/APR and their letter and submit it to the Governor as their annual report on Alaska's EI/ILP as required by federal law.

EDUCATION COMMITTEE REPORT

David Kohler gave the report for the Education Committee as follows:

Accomplishments Since October:

- **OHI/FASD Regulation Change:**
 - Went to October State Board of Education meeting. Organized testimony. The draft regulation did not meet all the needs of families and professionals, especially advanced nurse practitioners.
 - Got input on changes to draft from advanced nurse practitioners, Women's Children's and Family Health, FASD Ad Hoc, and Alaska's Council of Administrators of Special Education and drafted talking points.
 - **Patrick Reinhart** met with Dr. Jay Butler, Alaska's chief medical officer.
 - Organized written and oral testimony for the final regulation review and approval at the December State Board of Education meeting.
 - In response to Dr. Butler's endorsement and written testimony, the Department of Education made changes to the draft to fully include advanced nurse practitioners as recognized diagnosticians for eligibility for "other health impairment". Because it was just a language change and not a substantial policy change, the draft did not need to go out for additional comment.
 - The regulation change passed unanimously. Alaska is now the first state in the country to list FASD in special education regulations.
- Had a presentation on a report and recommendations on suspension and expulsion in the Anchorage School District from Starr Marsett of the Anchorage Special Education Advisory Committee.
- Participated in a face-to-face stakeholder meeting on the State Systemic Improvement Plan (SSIP). The SSIP is an intense five-year focus on narrowing the large graduation gap between students with disabilities and their peers.
- Accepting nominations for the Inclusive Practice Award presented annually to an outstanding educator at an awards luncheon at the Alaska Statewide Special Education Conference in February.

Activities in Progress:

- Investigating the adoption of a tiered diploma system in Alaska so all students who meet attendance and coursework requirements receive diplomas, potentially including students taking alternate assessments.
- The Education Committee has new representation from the Alaska Dyslexia Association and will be looking at adding dyslexia to the conditions listed under specific learning disability for special education eligibility.
- Investigating inequalities and barriers to students with disabilities and rural students by cut scores on college and career ready assessments on the Alaska Performance Scholarship.
- Facilitate training for principals on discipline, IDEA, and behavior.

AUTISM COMMITTEE REPORT

Jill Burkert provided the Autism Committee report as follows:

Priorities:

1. Screening and diagnosis.
2. Workforce development and training for professionals, educators, families, and community partners.
3. Early intervention and educational systems (Age 0 – 22).
4. Integrated and comprehensive services.
5. Funding, billing, and systems issues.

Autism Center

An infrastructure for centralized, person-centered, and collaborative autism workforce development, training, research, screening, diagnosis, and support for professionals and families.

Accomplishments Since October:

- Held a half-day leadership committee meeting with Agnew::Beck facilitator where they finalized the Five-Year plan and set preliminary targets.
- Participated in autism diagnosis work session.
- Facilitated a panel of advocates and self-advocates for the Anchorage Film Festival screening of “Autism in Love.”
- Provided stakeholders and participated in Children and Youth with Special Healthcare Needs Strategic Planning Committee.

Autism of Society is holding the first annual Autism Conference, which will feature Temple Grandin, local speakers, exhibit booths, and community talks.

Upcoming Activities:

- Start quarterly teleconference meetings; schedule one face-to-face meeting annually.
- Continue to participate in collaborative initiatives on screening and diagnosis, workforce development, EPSDT, and employment.

- Ensure parent and self-advocate involvement in these initiatives.
- Advocate for and participate in the development of an Autism Center.

TELEPRACTICE AD HOC COMMITTEE

Alex Gimarc presented on the Telepractice Ad Hoc Committee as follows:

Primary Accomplishments:

- Held two meetings since October Council meeting noting that it is important to define the purpose of the committee and scope the work. They believe that addressing potential barriers and opportunities is the best application of resources, and they need to figure out how to do that.
- Built a notional list of potential members and partners including existing telehealth practitioners and members of previous and current telehealth/telemedicine entities such as Alaska Telehealth Advisory Council and Alaska Coalition for Telehealth and Telemedicine.
- Have recognized that this is a popular field and many want to participate, so they need to keep focused on their scope of work.
- Given the available resources, they believe their best course of action is to identify statutory and regulatory roadblocks and suggest a series of quick and easy demonstration projects.

Next Steps:

- Develop specific Council ad hoc committee work plan:
 - Define services related to Council priorities that can be provided by telepractice.
 - Identify and connect with other active groups.
 - Develop a list of statutory and regulatory limitations.
 - Develop a list of possible demonstration projects.

EMPLOYMENT AND TRANSPORTATION COMMITTEE REPORT

Lucy Odden gave the report for the Employment and Transportation Committee as follows:

Recent Committee Activities:

- Discovery training.
- Certificate in Employment Services training.
- Disability 101 Alaska Calculator.
- Committee guest speaker, Eric Musser, Municipality of Anchorage transportation inspector who discussed the accessible cab rate.
- Created draft employment work plan for Five-Year State Plan.
- Anchorage Society of Human Resource Managers employer presentation.
- Two Business Employment Services Team (BEST) events.
- Alaska Processing Industry Careers Consortium employer conference presentation.
- Alaska Peer Employment Conference presentation.
- Held Alaska Integrated Employment Initiative (AIEI) Advisory Board meeting.

- Veterans Job Fair.

Upcoming Committee Activities:

- Employment First Job Fair (February 19).
- OFCCP training for federal contractors (March 8 and April).
- Project SEARCH expansion efforts – Anchorage and Juneau.
- ASSEC post conference, supported employment.
- Stone Soup Group Parent Conference presentation.
- Transition Fair.
- Full Lives Conference.
- Discovery Class pilot project.
- Additional trainings through the AIEI grant.

PEER POWER REPORT

Lucy Odden gave the report for Peer Power as follows:

Peer Power Updates Since October:

- The president stepped down and assumed the role of advisor.
- Vice president assumed presidency.
- Board of directors met three times since October.
- Attended three job fairs since October.

EPIC Grant:

- Had three teleconferences with EPIC administrators.
- Discussed website development.
- Reviewed funding earmarked for Peer Power technology needs.
- Discussed upcoming training for Peer Power advocates to do sensitivity training for the school districts.

ASPEN UPDATE

Christine King provided the report for Alaska Safety Planning Empowerment Network (ASPEN) as follows:

Statewide Committee:

- GCDSE
- Center for Human Development
- Alaska Network on Domestic Violence and Sexual Assault
- Alaska Mental Health Board/Advisory Board on Alcohol and Drug Abuse
- Statewide Independent Living Council.

Focus Community Committee:

- Developmental disabilities agency
- Domestic violence/sexual assault shelter

- Independent Living Center
- Tribal organization
- Mental/behavioral health agency.

Activities Since May – FY’16 Community

- Trip to FY’16 community and ASPEN presentation
- Obtained commitment from agencies
- Received Alaska Area IRB approval
- Tribal review.

Upcoming Activities:

- Contracts to be sent out
- Needs assessment:
 - Policy and procedure review
 - Focus groups
 - Key informant interviews
- FY’17 community.

HEALTH AND DISABILITY COMMITTEE

Britteny Howell gave the report for the Health and Disability Committee as follows:

Activities Since October:

- Presentations and trainings: Emergency preparedness, Assisted Living Home presentations, School Health and Wellness Institute, Ted Stevens Airport Health Fair, and Social Worker Conference.
- Conferences and fairs: Stone Soup Group Parent Conference, Alaska Public Health Conference, Full Lives, and various other health fairs.

FY’16 Top Projects:

- Adaptive physical activity trainings.
- Friendship and Dating trainings.
- Health Matters
- Special Olympics sponsorships for the winter Special Olympic games.

REVIEW AND APPROVE MID-YEAR FINANCIAL REPORT

Patrick Reinhart reviewed the current status of the Council budget noting that with 59 percent of the year gone, the Council is currently under budget.

OPEN MEETINGS ACT TRAINING

Rich Sanders led the Council members through a presentation about Alaska’s Open Meetings Act. He stated that the Act requires that all meetings of a public entity’s governing body be open to the public and that the body provide reasonable notice of its meetings. The Open Meetings

Act is intended to ensure that decisions made and actions taken are public knowledge and represent the will of the public that the governing body serves. He stated that all deliberations and action taken by a public entity must be done in public view, with limited exceptions; the public must be provided with prior knowledge of all steps occurring in the decision-making process, with limited exceptions; and individual actions of an official are made known.

Rich Sanders explained that a meeting of a decision or policy-making body occurs when more than three members or a majority of the members, whichever is less, engage collectively in discussion of a subject that they body is authorized to act and set policy on and is therefore subject to the Open Meetings Act. Under this definition, it doesn't matter where the meeting occurs, if it was prearranged, or who arranged it, and it could include unplanned, casual contact. A meeting of an advisory-only body is a prearranged gathering to consider a matter on which the entity is authorized to advise and assist the decision-making body and is subject to provisions of the act. The act does not specify a number, so two or more members, if the gathering is prearranged for the purpose of conducting any business of the entity, could constitute a meeting. **Dean Gates** suggested that the two or more members noted above may be incorrect, and he would like to work with Council staff to research the statute to determine the correct number.

Rich Sanders then reviewed the types of meetings addressed in the act including regular meetings, special meetings, emergency meetings, and committee meetings, and he discussed how, when, and where these meetings should be publically noticed. He also discussed voting on issues, noting that secret balloting voting is almost never allowed. Votes shall be conducted in such a manner that the public may know the vote of each person entitled to vote. Telephone polling could be considered a violation depending on the subject matter.

LEGISLATIVE COMMITTEE REPORT

Art Delaune gave the report for the Legislative Committee as follows:

Important Activities Since October:

- Reviewed and set priorities.
- Worked on position papers.
- Met and finalized four position papers.
- Attended the ABLE Act public forum on January 9th at The Arc.
- Attended Key Coalition meeting with Duane Mayes about the DDDR.

Legislative Priorities of 2016:

- HB 76 – A bill to update the Council's enabling statute by removing the word "gifted."
- HB 77 – The disability training and identification bill.
- HB 188/SB 104 – The Achieving Better Life Experience (ABLE) Act.
- Developmental Disabilities Registration and Review/Medicaid.

Issues to Follow:

- HB 154/SB 49 – Establishing legal services fund.
- SB 91 – Criminal law procedure bill.
- HB 99 – Voluntary termination of life.

- HB 103 – Residential psychiatric education funding.
- HB 27/28 – Foster care independent living transition program.
- SB 72 – The CARE Act.
- SB 124 – Reauthorization of the Alaska Commission on Aging.
- Justice reform issues.
- Medicaid-related bills.

Next Steps:

- Follow legislation and state budget deliberations closely.
- Key Campaign planning and participation.
- Collaborate with the Alaska Mental Health Trust Authority and attend and report at weekly legislative session teleconferences.

DISCUSSION OF LEGISLATIVE AGENDA/POSITION PAPERS

Kristin Vandagriff led the Council members through a discussion of the contents of their legislative packets including position papers for the four above-mentioned priorities, talking points, copies of the actual legislation, and background information on the bills. The Council member packets also include a layout of the Alaska State Legislature and the Council’s annual report.

Kristin Vandagriff briefly reviewed changes to the schedule of appointments, and informed Council members of the protocol for visits with legislators as well as following up with Council staff to provide a report of the visit and to ensure that legislator’s questions can be followed up on.

Patrick Reinhart then reviewed some of the details of the legislation as follows:

HB 188/SB 104 – The Achieving Better Life Experience (ABLE) Act

The ABLE Act would allow the Department of Commerce, Community, and Economic Development to set up a new federally-authorized program with Alaska-based financial institutions to allow persons with disabilities (with an onset before 26 years of age) to have a non-taxed savings account to help pay for qualified disability-related expenditures. This bill has been passed by the federal government, and now is the time for individual states to pass similar bills to develop the structure for implementation.

HB 76 – A bill to update the Council’s enabling statute by removing the word “gifted”

Patrick Reinhart explained that this bill has passed the House and is now in the Senate. This legislation is to remove the word “gifted” from the Council’s enabling statute. Under IDEA, gifted education programs are not part of the purview of special education.

HB 77 – The disability training and identification bill

Patrick Reinhart explained that there are three parts to this bill. It requires law enforcement

entities, particularly training academies, to standardize and accept a training program for a protocol on disabilities issues across the board. Another part of the legislation involves educating the public about their duties and expectations with interacting with law enforcement officials. The third part of the legislation provides individuals with disabilities the voluntary option to obtain a secret mark on their license or ID card to ensure that law enforcement is aware of their disability when interacting with them.

Developmental Disabilities Registration and Review/Medicaid

Patrick Reinhart stated that Senior and Disabilities Services took a cut to their home and community-based services program. SDS's response to that cut was to reduce the waiver draw they have been doing on an annual basis from 200 people down to 50 people per year. This reduction has been approved by CMS with an effective date of February 1st. This legislative ask is for consideration of a recommendation to increase the draw to 175 people per year. Other suggestions for cost savings for the Division included in this position paper include:

- Streamlining eligibility and level of care determination process.
- Consider implementing soft caps on some services.
- Establish a voucher program for supplies and personal care items.
- Allow for the purchase of smart home technology that reduces the need for staff support.
- Consider a package of new services for persons who do not meet nursing facility level of care under the 1915(i) State Plan Option.

RECESS

The meeting recessed at 4:17 p.m.

PUBLIC TESTIMONY

Public testimony was heard, and a full transcript was prepared.

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

QUARTERLY MEETING MINUTES

**Juneau, Alaska
February 2 – 4, 2016**

February 3, 2016

Council Members Present:

Jill Burkert
Anthony Cravalho
Art Delaune – telephonic
Don Enoch
David Fleurant
Dean Gates
Jeanne Gerhardt-Cyrus
Alex Gimarc
Heidi Haas
Mallory Hamilton
Alexis Henning
Christine King
David Kohler
Sara Kveum
Margaret Kossler
Lelia (Lucy) Odden - telephonic
Amy Simpson – Chair
Maggie Winston

Council Staff:

Patrick Reinhart, Executive Director
Rich Sanders, Planner III
Brittney Howell, Research Analyst III
Christie Reinhardt, Program Coordinator I - telephonic
Kristin Vandagriff, Program Coordinator II
Ric Nelson, Program Coordinator I
Ian Miner, Office Assistant II

CART Provided by Lenny DiPaolo, Peninsula Reporting
Minutes Prepared by Paula DiPaolo, Peninsula Reporting

Wednesday, February 3, 2015

CALL TO ORDER/ROLL CALL – 8:30 a.m.

PREPARE FOR MEETINGS WITH LEGISLATORS

Patrick Reinhart reviewed with the Council members the protocol for legislative visits. He covered such topics as being prepared, arrive early, reviewing the contents of the legislative packets with the legislators, explain the issues, get a group photo, and thank legislators for their time. He reminded Council members to stay on topic, be polite and listen, take notes on items to follow up on, don't talk on the phone or text, don't interrupt the legislator or any other team member, and don't provide answers to unknown questions. Council members should meet up with staff in pre-specified locations to debrief following their visits.

ALASKA ASSOCIATION ON DEVELOPMENTAL DISABILITIES

Kim Champney, president of the Alaska Association on Developmental Disabilities (AADD) stated that AADD is an association of provider agencies across the state that provide services to children and adults with developmental disabilities.

Kim reported that the AADD board met to do some strategic planning last week as well as to review what is happening in the state and industry. The primary goal for the agencies is sustainability to stay in business given the current funding landscape, and they want to pay close attention to their alliances with the Governor's Council, Center for Human Development, and the Trust as well as develop other partnerships.

The strengths AADD sees in the industry is that they are very positive and solution focused, and they have a very good network across the state that want to be supportive to each other.

In terms of vulnerabilities, Kim Champney stated that workforce issues continue to be a challenge, and they are looking to ensure people have the training they need, that workers are available, and that workers understand the philosophy and mission of person-centered supports. Another area that has been under-supported is rural and remote communities.

In terms of opportunities, they want to continue to take advantage of the Trust Training Cooperative and the development of core competencies for direct support professionals and to collaborate and be consistent in the training.

Kim Champney reported that the three primary goals AADD has in the next year and going forward include working towards developing a comprehensive advocacy and communication strategy to maintain the sustainability of the system, expanding workforce capacity, and ensuring that AADD can continue to be sustainable as an organization.

DISABILITY LAW CENTER

Dave Fleurant reported that the Disability Law Center (DLC) represents all Trust beneficiaries and then some. Two of the projects they are working on are following up on legislation that eliminated the High School Graduation Qualifying Examination and the statute regarding seclusion and restraint. DLC is also working with Anchorage Community Mental Health Services on a youth transition program, Seeds of Change.

Dave Fleurant reported that DLC is also developing a strategic process for improving special education services in rural communities. They have been working on training parents, advocating on behalf of parents, and teaching parents how to advocate to improve the delivery of special education services.

DLC is working with the Council on Medicaid expansion, and they are also actively engaged in litigation that's currently in the courts challenging the Governor's authority to expand Medicaid.

Dave Fleurant reported that more recently DLC has been doing a lot of work with the Department of Corrections in terms of Governor Walker's efforts to bring transparency to the department as well as more appropriate services for prisoners with disabilities. DLC is also trying to get their handbook called "Prisoner's Rights" into every DOC facility within the next month or so.

In terms of Social Security claims, at the hearing level in Alaska, the approval rate is significantly lower than the approval rate in the Lower 48. So DLC has switched courses and is now assisting select individuals with their applications at the initial stages in the hopes of getting them approved from the beginning to not have to get to the hearing stage.

Dave Fleurant stated that in terms of transportation, DLC is just beginning the Accessible Sidewalk Project with a focus on winter access. They have been examining ordinances and statutes as they relate to existing responsibilities and comparing them to model communities in the Lower 48. This project is in collaboration with AARP and the Statewide Independent Living Council.

DLC is also actively involved in ensuring communities have accessible polling stations.

Dave Fleurant stated that one aspect about DLC that differentiates it from typical law firms is that they have fairly strong federal authority to investigate abuse and neglect that happen in institutions or the community, and they have been very busy because of the suicides that have been happening in the correctional facilities.

DLC has expanded their building space, and it has created an opportunity for them to set aside space as a Self-Advocacy Center. This year they hope to get the equipment they need to get that up and running, and then hopefully the space will be a place to house trainings.

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

Don Enoch apologized on behalf of Commissioner Hanley, who was called away by the Governor and was unable to attend this meeting.

Don Enoch reported that obviously one of the biggest issues affecting the department is the current budget situation, in particular the travel restriction.

One of the legislative issues of importance to the department is Senate Bill 84, a charter immersion school for Native language speakers, which has a lot of interesting aspects to it.

Don Enoch stated that the Commissioner wanted to thank the Council for the support they provided on the FASD issue, and wanted to specifically thank **Christie Reinhardt** for her involvement in presentations and for being a positive voice for the community.

One of the big issues sweeping through the department is the Every Student Succeeds Act (ESSA). This is the replacement to No Child Left Behind and the ESEA. This act allows for the opportunity for states to have a more individualized approach than the previous acts did, and takes into account the unique structures of each state. Part of the ESSA review involves significant stakeholder involvement, and they have a schedule lined out for that on a fairly tight timeline. The stakeholder assessments will be focused on standards and assessments, accountability, and school improvement and support. **Don Enoch** noted that if someone is unable to participate in a stakeholder meeting, they can try to participate in the public comment portions of the ESSA discussions.

Don Enoch reported that the department is discontinuing its use of the Alaska Measure of Progress (AMP) tool, and they will be actively looking for a new tool to replace it. Unfortunately the AMP will be administered this year and next, and the results will most likely not transition to whichever new tool the department decides to use.

Don stated that he attended a meeting yesterday where they are specifically looking at secondary transition as a consideration for all students, not only just students with disabilities. One of the issues that arises with this is that providing any type of program that's vocational based and is not part of the core curriculum requires the money to administer.

Finally, **Don Enoch** passed along the Commissioner's appreciation for the support and the voice that the Council provides for programs affecting students experiencing disabilities. The support from the Council as the SEAP has been invaluable to the department.

Don Enoch fielded additional questions from Council members and staff and concluded his presentation.

CENTER FOR HUMAN DEVELOPMENT

Christine King reported that the Center for Human Development (CHD) provides a lot of the training and technical assistance, evaluation, and research services that affect people with

disabilities throughout the lifespan and diverse life domains.

Christine King stated that CHD applied for and did not get a NIH grant for Special Olympics to help improve the health of individuals with I/DD; however, she believes they are going to apply for a different NIH grant with a similar proposal. CHD also submitted their LEND grant proposal, and they are hoping to be refunded for that program.

Christine King reported that CHD is working on an employment services curriculum to become certified with the Association of Rehabilitation Educators.

Partners in Policymaking (PIP) has restructured the program so that instead of providing direct training to self-advocates and family members, they will now be providing train-the-trainer activities instead. Last week they trained approximately 20 providers. The purpose for this model change was to provide sustainability to the program as providers gain the skills to then go back to their home communities to share.

Christine King stated that in addition to the PIP training, CHD also conducted a Friendships and Dating train the trainer. They have also been working on a curriculum for people with severe mental illness to help with socialization skills and appropriate boundaries.

Upcoming conferences in March include the Reducing Recidivism Through Successful Re-entry, both an adult and youth track, and the Full Lives Conference.

Patrick Reinhart reminded Council members that the CHD is one of the Council's biggest partners in projects as well as financially. They are partners with AIEI, the ASPEN project, Microenterprise Program, the Health and Disability Program, Disability Benefits 101, and the Trust Beneficiary Employment and Engagement focus area.

MEDICAID REDESIGN REPORT AND UPDATE

Brittney Howell updated the Council on the current Medicaid Redesign and Expansion efforts by stating that a report was released just recently from contractors Agnew::Beck, Health Management Associates, and Milliman, Inc. as they explore options to revise Alaska's current fee-for-service Medicaid structure. **Brittney** highlighted the contents of the report as follows:

INITIATIVE 1 – Primary Care Improvement Initiative

Primary Care Case Management

- Every enrollee selects or is assigned a primary care provider who coordinates their care.

Annual Health Risk Assessments

- Identifies those with higher health needs and risks.

Health Homes and other Care Management Programs

- Ensure needs are addressed as early and appropriately as possible.
- DHSS contracts with an Administrative Services Organization to conduct outreach,

education, perform assessments, manage assignment of enrollees, and develop and manage primary care provider network.

INITIATIVE 2 – Behavioral Health Access Initiative

Propose 1115 Waiver

- Demonstration waiver that would secure authority and additional resources to broaden behavioral health services and increase capacity in DHSS.
- Could include substance use disorder treatment delivery system efforts.

Administrative Services Organization

- Contractor to perform support for behavioral health system like develop and manage network of providers, utilization management, outcomes reporting, fraud, and waste abuse auditing.

Integrate Primary Care with Mental Health Services

- Establish standards of care that allow providers to bill Medicaid.
- Requires a statute change, because only clinical social workers and psychologists can bill Medicaid for behavioral health right now.

INITIATIVE 3 – Data Analytics and Information Technology Infrastructure Initiative

Increase utility of existing Health Information Exchange

- Connects hospitals, emergency departments, and community-based providers.
- Integrates Prescription Drug Monitoring Program database.
- Increase shared information among providers and analyze health data to improve health outcomes and decrease costs.

Advanced Data Analytics Contractor

- To provide program-level data analysis to DHSS and providers to drive quality and cost containment.

INITIATIVE 4 – Emergency Care Initiative

Partnership between DHSS, ASHNHA, and Alaska Chapter of ACEP

- Get emergency departments to use Alaska's Health Information Exchange to share Medicaid enrollee patient data to prevent emergency department use and facilitate follow up with primary care and behavioral health providers.
- Would increase service utilization, reduce Medicaid costs, improve care, and reduce prescription opioid misuse.

INITIATIVE 5 – Accountable Care Organizations Initiative, Shared Savings/Shared Losses

Accountable Care Organizations (ACO)

- Pilot value-based payment system for quality health care by contracting with groups of providers (ACOs).

- An ACO is a group of providers that agree to share responsibility for the cost and quality of healthcare for defined patient populations.
- Projects total cost of care, and the ACO is eligible for a portion of the savings or losses that result from the healthcare delivery.
- Incentivizes continuous quality improvement.
- Recommended to establish workgroups to support ongoing partner engagement and develop recommendations for telemedicine and business improvement processes.

Brittney Howell stated that over the next five years, these initiatives could save the state up to \$600 million. This report also does not include 1915(i) and (k) State Plan Options that are being researched by SDS.

Brittney Howell fielded questions from Council members and concluded her presentation.

ALASKA MENTAL HEALTH TRUST AUTHORITY

Jeff Jessee stated that there were multiple competing bills for Medicaid reform last year, and this year the Senate Finance Committee has appointed a subcommittee the task of melding these various bills into a bill that the legislature will pass and the Governor will sign. Jeff stated that without Medicaid reform, the legislature will have to use other tactics to control the Medicaid program by reducing eligibility, reducing covered services, and reducing reimbursement rates. Any significant changes to any of those three will have major impacts on beneficiaries. He also noted that the legislature is currently also examining the optional Medicaid benefits that Alaska has chosen to provide, and they are considering eliminating some.

Jeff Jessee stated that the other big issue going on right now is the Justice Reinvestment effort. The Criminal Justice Commission has forwarded its report, and Senator Coghill is putting together a justice reform bill that should be introduced shortly. This bill will have a significant impact on beneficiaries, particularly those in the mental health and substance abuse arenas.

Jeff Jessee discussed the depth of the fiscal gap with Council members. He stated that if the citizens of Alaska don't start to pay for government, the consequences could be disastrous. He reminded Council members of the major budget shortfalls in the 1980s when the legislature cut everything, and there were no special interests that survived the cuts.

Christine King asked Jeff Jessee for suggestions on how to respectfully approach legislators to determine how they themselves can help reduce costs by not going into special sessions, because she feels they also have the responsibility to sacrifice as everybody else does. Jeff Jessee suggested taking the approach of saying that everybody is going to have to be a part of the solution, and share personal sacrifices you are prepared to make while carefully suggesting that the legislators do the same by considering special sessions, travel costs, and per diem rates.

Jeff Jessee stated that the Council also needs to support Medicaid reform and the need to maximize outcomes and move to a value-based service system.

DIVISION OF SENIOR AND DISABILITIES SERVICES REPORT

Duane Mayes provided a snapshot of the presentation he just gave to the House Finance Subcommittee on Health and Social Services. He stated that he focused on getting them to understand the value and importance of the Home and Community-Based Services program, which includes the four waivers and the Personal Care Attendant Program. He reviewed with them the continuum of care slide that starts with the lowest cost grant services on the left to the highest cost services of institutional care on the right.

Duane Mayes stated that the Infant Learning Program is in the budget for SDS. All of those positions that are part of the program with the Office of Children's Services will transfer to SDS on July 1. Duane stated that he has spent time meeting with the ILP providers across the state to hear their concerns and collaborate with them. Deputy Director Deb Etheridge will have oversight of the ILP and the new Health Program Manager III that will oversee the program.

Lisa Morley also noted that Independent Living Centers are also moving under the purview of SDS.

In terms of conflict-free care coordination, there are regulations out right now, and Council members should take the time to review them and provide comment.

Lisa Morley provided the Council with some background information on the Short-Term Assistance and Referral (STAR) grant. The STAR funded 12 programs throughout the state, and those programs served as the place where families and individuals could enter the system, get assistance in meeting eligibility requirements, get a disability determination, get matched up with interim services, and were given advice and information on navigating the system. That program was mainly housed in agencies that also provided community developmental disability services.

About 10 years ago, SDS wrote a grant and started funding Aging and Disability Resource Centers, which were intended to be a place for anyone of any age with any disability to come and get that same sort of information, assistance, and options counseling. When they wrote the grant, they looked at where in the state there was possibly duplication of services, and they compared the RFPs for the ADRC and the STAR and saw there was quite a bit of duplication in those areas; however, the populations were very different. Over the years they have talked about consolidating those two programs into one program, but unfortunately because there are only five ADRCs in the state and because of the need and the capacity of the STAR program, the two didn't really line up.

Lisa Morley explained that it is a new grant cycle, and the Division is going to be moving in a new direction and will be aligning with the new conflict-free care coordination as well as looking to streamline the system. Another new thing they will look at with their new STAR RFP is they are going to start doing Medicaid administration claiming to bring in additional funds.

Duane Mayes stated that in terms of 1915(i) and (k) and the Inclusive Community Choices Council, they have completed all of their stakeholder engagement. They are on time with their project in terms of deliverables. Duane stated that these options are going to be a great

opportunity because of the additional 6 percent federal match of the (k) option for people who are currently funded under the (c) waiver. He stated that Health Management Associates will be coming up to present to the legislature to assure them that it doesn't appear that there will be an increase in costs for services with the implementation of these options. They will also be able to explain to the legislature their plans to control the system by recalibrating the levels of appropriate services for people. They will explain the well-defined eligibility process and the implementation of soft caps so they can stretch their dollars to serve more people but contain the growth of the programs.

Duane Mayes stated that the 1915(i) option will refinance general fund programs, and the implementation of both of these options must show that Alaska will remain budget neutral or recognize cost savings.

Duane Mayes stated that SDS received approval from Centers for Medicare and Medicaid Services to reduce the DDDR draw from 200 to 50 individuals a year. He stated that this is effective February 1st. He understands the Council's position to increase that amount to 175 people per year, but he noted that to do that would be to increase the Division's budget by another 14 to 15 million dollars per year, and they are at a point of needing to contain their growth.

Duane Mayes assured the Council that he values the I/DD waiver, and he also noted that they have a very dynamic DDDR, which other states want to model. The DDDR is currently at 601 people with 417 being children under the age of 21. They will continue to look to draw 50 of their highest needs individuals off the DDDR for the waiver. They are encouraging families to accurately present their needs and be open to all available resources. He also noted that with the implementation of the 1915(i) and (k) options, there will be no waitlist.

Mallory Hamilton asked that if a new revenue source is created for the State, will the Division be willing to reinstate the DDDR draws? Duane Mayes stated that if the landscape changes going forward, absolutely those draws will be revisited.

Mallory Hamilton also asked about the cleanup of the waivers that families have been hearing about and what that looks like. Duane Mayes stated that as they continue to clean up and get controls around their programs, they have been discussing an explanation of benefits being provided to families so families can see whether or not they are receiving services that are being paid for. He stated that the explanation of benefits could be implemented this calendar year. In terms of waste, Duane stated that 80 to 90 percent of the fraud cases they have had have been within the Personal Care Attendant program. They are currently leading the nation in terms of fraud efforts in Alaska.

Jeanne Gerhardt-Cyrus asked about the target populations for 1915(i) and (k) and whether or not they were just TBI, SMI, I/DD and ADRD exclusively. Duane Mayes explained that initially those were the target groups being considered for the State Plan Options, but specific to SMI, within the larger Medicaid Reform efforts, there is consideration for the SMI population to be served through the 1115 Demonstration Waiver. He stated that they heard through the community engagement efforts the need to consider the FASD population within these options.

He stated that this information is currently before the ICC Council, and he believes as they go forward, they will need to look to their assessment tools and how those might capture co-occurring disabilities such as SMI/FASD and I/DD/FASD.

Duane Mayes and Lisa Morley fielded additional questions from Council members and concluded their presentation.

ALASKA MENTAL HEALTH BOARD/ABADA

Kate Burkhart, the executive director of AMHB/ABADA and the Statewide Suicide Prevention Council stated that **Patrick Reinhart** asked her to speak to the Council about the resolution passed by AMHB/ABADA at their October meeting. The resolution they passed was to encourage the administration and the legislature to consider all forms of revenue for State government. The board members believe that their constituents and their constituents' family members and communities benefit from an adequately resourced public sector, whether that's healthcare, education, transportation, et cetera, because they understand that the people they serve have needs beyond the healthcare system and rely on government services for other things.

After much deliberation, they passed a resolution that encouraged the executive and legislative branches to look seriously at all forms of revenue including the earnings on the Permanent Fund, taxation, and other kinds of fees.

Kate Burkhart stated that AMHB/ABADA believes it's their role to ensure their constituents have access to all the services they need, and they encourage constituents to get informed and participate in these conversations.

KEY COALITION

David Parish stated that the Key Coalition legislative priorities are as follows:

1. Long-term state fiscal plan
2. Maximize the revenue from the land and cash assets of the Alaska Mental Health Trust
3. Restore the DDDR to 200
4. ABLE Act legislation.

David Parish stated that today the Key Coalition is distributing their legislative priorities to the legislature and the administration, and they have identified potentially 13 million dollars in cost savings through doing things differently.

David Parish addressed the fiscal gap and noted that the legislative reaction, particularly on the Senate side, has been that they believe Alaskans would like to see further spending reductions before new taxes are enacted, so they are likely to go further in terms of putting some spending reductions on the table. The House side, on the other hand, has said they don't intend to give their three quarters vote for accessing savings to balance the budget for a plan that makes too many cuts.

ALASKA COMMISSION ON AGING (ACoA)

Denise Daniello, the executive director of the Alaska Commission on Aging, stated that according to their needs assessment activities for their State Plan for Senior Services, the following statewide needs were determined:

1. Access to quality and affordable healthcare.
2. Access to long-term support services.
3. Economic security.
4. Food security.
5. Senior housing.
6. Elder protection from financial exploitation, abuse, and harm.

Denise Daniello, shared ACoA's legislative priorities as follows:

- Preserve safety net programs and services for vulnerable older Alaskans.
- Support family and other informal caregivers to care for elderly loved ones.
- Protect older Alaskans from financial exploitation, abuse, and harm.
- Advocate for "sunrise" legislation for the Alaska Commission on Aging.

Denise Daniello further explained one of the bills ACoA will be supporting this year is HB 8, the power of attorney bill to modernize the power of attorney statute in Alaska. This legislation will put more controls in the power of attorney to the person who is designating their powers to another person.

Denise Daniello also thanked the Council for their letter of support for the reauthorization of ACoA. She also noted that the Division of Legislative Audit has recommended another eight years for the commission.

Denise Daniello stated that ACoA and the Council are coming closer in alignment thanks to quality home and community-based services and people with intellectual and developmental disabilities living longer. She wanted to assure the Council that this is a population they are paying attention to within the commission and hope they can work together with the Council on this issue.

SPECIAL EDUCATION SERVICE AGENCY (SESA)

Patrick Pillai stated that SESA provides technical assistance and professional development supports to special education teams based on referrals by the special education directors to the agency. SESA's core service is the Low-Incidence Disabilities Program for providing service to students with autism, vision loss, hearing loss, emotional disturbance, and multiple disabilities. In addition, SESA hosts five grant programs: Alaska Autism Resource Center, Guiding and Instructing New Special Education Teachers, Indicators Project, Deaf Blind Project, and Early Intervention TBI PBI grant.

Patrick Pillai reported that SESA staff is currently providing support and technical assistance to

336 student teams in 149 schools located in 106 locations across 47 school districts. SESA uses a FileMaker Pro database to keep accurate track of agency business including travel and mission-centric activities.

SESA was fortunate, with the Council's support, to receive a legislative funding increase based on need for services and cost of agency operations. SESA is currently reauthorized as of 2021, and they will renew their building lease in 2016 for another five years.

ALASKA MOBILITY COALITION

Casey Anderson, executive director of the Alaska Mobility Coalition (AMC), stated that the AMC was fortunate to receive bridge funding from the Trust to help out with some of their expenses this fiscal year, and they appreciate the support they have received from the Governor's Council in their effort to secure additional funds as well as **Patrick Reinhart's** role as an AMC board member.

Casey Anderson presented the legislative priorities for the AMC as follows:

- State match funding for community transportation, \$1,000,000.
- Dedicated transportation trust fund.

ALASKA INFANT LEARNING PROGRAM ASSOCIATION (AILPA)

Jill Lush, president of AILPA, stated that AILPA has a core purpose of supporting early intervention and infant learning programs across the state. Their core principals and values include having one strong voice together, learning from each other to build capacity, and ensure consistent, quality services.

Jill Lush explained that there have been a number of action steps they have been working on in their plan this year, but they have been primarily focused on the ILP move from the Office of Children's Services into the Division of Senior and Disabilities Services.

Jill Lush stated that Infant Learning Programs were fully funded this year, so they are spending their time making sure that the legislators know who they are, know the value of early intervention, and also to thank the legislators for supporting services for infants and toddlers at risk or who are living with disabilities. AILPA wants legislators to know that early intervention has the ability to change the life trajectory of children's lives and their legislative goal this year is to maintain the funding for ILP in the Governor's budget.

Jill Lush commented that although ILPs are currently underfunded, they have learned to depend on their partnerships statewide in the early learning and DD world to wrap around children and families for support. This year AILPA also has plans to focus on expanding their Medicaid billable services, as many other states have done, to try to make up for a lack of resources.

Jill Lush stated that AILPA looks forward to continuing and building on their partnership with the Governor's Council and EIC, and thanked the Council for their support in ensuring the ILP

proposed budget is fully funded.

STONE SOUP GROUP

Patrick Reinhart reported that Stone Soup Group's Parent Conference is February 12th and 13th at UAA Cuddy Hall. He also stated that the Governor's Council will have a booth there with resources available.

ALASKA STATEWIDE INDEPENDENT LIVING COUNCIL (SILC)

Anthony Cravalho reported that the SILC has added new members and is almost at a full council. One of the people they added, Tom Cyrus, fills the Tribal VR seat, but the Workforce Innovation Opportunity Act actually doesn't require the SILC to have that seat anymore, but they haven't updated their bylaws to remove it. He is anticipating they won't remove that seat because Heidi Frost sees the value in the TVR partnership.

Anthony Cravalho stated that most of the SILC's projects are in joint ventures with the Governor's Council, the Trust, and other partners. The SILC has been working on emergency preparedness, ASPEN, and Heidi Frost sits on the Community and Public Transportation Advisory Board. Heidi Frost has also been working with the Trust on a partnership on conflict-free case management and updating the website called WaiverMarket to help consumers and families find case managers.

Issues the SILC is following this legislative session include accessible voting and accessible sidewalks.

Anthony Cravalho stated that the SILC is currently engaged in creating their Three-Year State Plan for Independent Living.

INFORMATION FOR THE GOOD OF THE ORDER

Chair Simpson stated that she and **Patrick Reinhart** have been discussing the resolution on statewide funding and providing guidance for the Council members as they are interacting with lawmakers during this meeting and in the future. She stated that the Executive Committee will look at the resolution that Kate Burkhart mentioned and then get that information out to every Council member following the next Executive Committee meeting. In the meantime, if Council members feel strongly that legislators need to consider all revenue streams in maintaining a quality of life for Alaskans as a whole and Alaskans with disabilities, they make an effort to share those opinions with their senators and representatives, and they will have further guidance from the Council in the near future.

Christine King suggested the Council put out a SurveyMonkey to the disability community to determine gather data on the community's opinion so the Council can make an informed decision. **Brittney Howell** stated that although the Council conducts surveys all the time, what she finds is that the survey respondents are often non-parents and non-individuals with disabilities. Targeting their families is not something the Council often does, so they would need

to think strategically about actively getting those folks to take such a survey. She stated that to accomplish this, it would most likely take three weeks to gather that data. **Chair Simpson** stated that they will explore that.

Alex Gimarc remarked that he takes great exception with the phrase “all sources of revenue” when nobody is talking about putting more people to work through resource development.

Heidi Haas suggested developing the resolution to be a broad, general resolution on working together to address the funding issues.

ADJOURN

Heidi Haas MOVED to adjourn the meeting, **SECONDED** by **Jeanne Gerhardt-Cyrus**. The motion **PASSED**, and the meeting adjourned at 12:37 p.m. for Council members to attend their scheduled legislative visits.

Thursday, February 4, 2016

LEGISLATIVE VISITS

Council members spent the day engaged in legislative visits, and no formal meeting was convened.