



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of  
Health and Social Services

GOVERNOR'S COUNCIL ON DISABILITIES  
& SPECIAL EDUCATION  
Patrick Reinhart, Executive Director

3601 C Street, Suite 740  
Anchorage, Alaska 99503-5924  
Main: 907.269.8990  
Toll Free: 1.888.269.8990  
Fax: 907.269.8995

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

**FASD Workgroup**

LOCATION

Governor's Council on Disabilities and Special Education  
3601 C Street, Suite 740  
Anchorage, Alaska

March 17, 2015  
3-4:30pm

**CALL TO ORDER**

Jeanne Gerhardt-Cyrus called the meeting to order at 3:15pm.

**ROLL CALL**

Barb Chambers, Art Delaune, Teri Tibbett, Jeanne Gerhart-Cyrus, Britteny Howell, Travis Hedwig, Tommy O'Malley, Laura Baez, Michael Jeffrey.

**OLD BUSINESS**

• **DD Eligibility**

Billy Edwards came up from California to present on FASD and the legal system at the Family Voice Forum in Juneau in February. FAS is already in the state regs for DD qualifying diagnoses, does the group want to work on expanding that to FASD in statute? Jeanne and Travis volunteer to form a workgroup to work with Teri on legislative changes such as this. Anyone else who wants to join should email Jeanne and/or Britteny. Jeanne - Although many folks meet Level of Care, they do not present with a qualifying diagnosis that is accepted by SDS for IDD waiver services. Tommy - his son has a waiver with an FAE diagnosis. He said the key was getting the right person to write the diagnosis, it was written in a way that clearly demonstrated his functional limitations. Tommy is going to outline that process for Teri, who will document and try to find ways to make it easier for others to get a waiver.

Michael Jeffrey mentions that Larry Cohen was in Alaska from Vermont, he is a specialist in

litigation for brain injuries. He was here presenting on FASD as a mitigating condition in sentencing. Judge Jeffrey says the trainings were excellent.

- **Educational Services**

DEED is working on the definition of a “physician” in their regulations so that school districts cannot make up their own definitions. Barb mentions that the new problem is that the Anchorage school district forms for Other Health Impairment specifically state “MD or DO” needs to sign as the originating diagnosis. This issue may or may not be solved by a regulation change to the definition of “physician.” The next step may be changing the regulation from “physician” to “clinician” then we can include other diagnostic professionals like neuropsychologists.

- **Birth through Life Supports, Accommodations and Services**

Teri Tibbett- Getting FASD as a qualifying diagnosis for DD eligibility and waiver services may require a statute change. The issue is that the statute discussed today, AS.47.20.290, is for children. We need to argue that early intervention and supports for children reduces behaviors in adulthood that lead to jail, API, homelessness, etc. Right now the legislature is concerned with reducing recidivism and supporting reentry, so making an argument like this about cost savings down the road might work. However, the legislature is going to be very concerned about including a broader definition of a disability during these budget cuts. And because of the new Medicaid expansion bill that was released today, we should hold off on this until next session. That will give us time to get things in order (letters, testimony). Teri is going to send out “talking points” that they are using with the legislature right now on early intervention and recidivism reduction programs, so that we can make similar arguments next year.

- Teri gave an update and recap on this year’s Family Voice Forum in Juneau.
- Barb and Michael Jeffrey gave an update on the FASD conference in Vancouver.
- Jeanne and Britteny will discuss what is involved in making this workgroup into a standing committee on the Council, possibly to include in next month’s agenda.

## **Adjournment**

The meeting was adjourned at 4:40pm

*Creating Change That Improves the Lives of Alaskans with Disabilities*