

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

Legislative Committee

Meeting Minutes

LOCATION

**Governor's Council Conference Room
3601 C Street
Anchorage, Alaska
Teleconference**

Meeting Date

**April 8, 2016
11:00 a.m.**

Attendees:

Anthony Cravalho
Art Delaune, Chair
Dean Gates
Alex Gimarc
Sara Kveum
Mallory Hamilton

Staff:

Patrick Reinhart
Ric Nelson

CORRESPONDENCE

Patrick Reinhart stated that the committees have been involved in various correspondence on issues related to their committees, and this information will be further discussed under business.

REPORTS

Report from the Chair

Art Delaune stated that he had nothing additional to report at this time.

BUSINESS

Budget

Patrick Reinhart stated that the budgets from the House and Senate have been completed, and a conference committee has been appointed. A joint advocacy position has been put out by the Trust about the issues of concern to the beneficiaries in terms of which version of the bills the Trust supports.

Patrick Reinhart stated that one of the biggest issues that will impact the Council's constituency is a \$26 million unallocated cut in Medicaid services that SDS will have to absorb next fiscal year. He stated that Duane Mayes has discussed the involvement of a stakeholder group to include the Council and the Commission on Aging as well as provider groups to give input on where SDS can save money next year.

Patrick also noted that the Trust is going to invest money into some non-permanent positions at SDS to assist with the implementation of 1915(i) and (k).

HB 188/SB 104: ABLE Act

Patrick Reinhart reported that a hearing was held for HB 188, and it passed out of committee to its next stop on the House floor. He was able to testify at the hearing, and he thanked Sara Kveum for testifying as well.

Another issue that came up was that of the Council taking positions on State letterhead and whether or not it's a position of the Governor or the Department. He referred committee members to the letter he penned to Senator Meyer explaining these issues in detail.

Patrick Reinhart stated that Mallory Hamilton was able to go to Juneau last weekend and work on the bill and educate the legislature on the Council's opposition; however, the Senate voted 11 to 6 in favor of the bill yesterday. Patrick noted that Senator Wielechowski has asked for a reconsideration vote of this bill. Patrick also stated that they have heard from several different legislators that they do not expect to take this bill up on the House side.

Patrick stated that a follow-up to this issue is that there is a lot they can do to ensure that youth and children in treatment centers get an appropriate, quality education. He suggested that after the passions have died down, they can host a discussion on the best way to provide education to these youth.

Mallory Hamilton stated that in her conversations with the legislators, she pointed out that North Star didn't follow normal protocol by going through the Department of Education and Early Development to start their complaint process, though they claim it's been a six-year battle. She noted that she heard from some legislators that this bill had also not been properly vetted.

Patrick Reinhart stated there was an article in today's Anchorage Dispatch News, and he will be interviewed by KTUU today at 1:45 for a story on this.

SB 74 – Medicaid Reform Bill

Patrick Reinhart stated that this bill is already through the Senate and is now in the House where they are trying to add some amendments to it.

Duane Mayes and Amanda Lofgren presented the overall structure of this bill to the DD Committee.

HB 315 – Electronic Visit Verification for PCA and HCBS

Patrick Reinhart stated that this bill is sponsored by Representatives Vazquez and Reinbold and requires the personal care attendant program in the state to have an electronic visit verification system in an effort to prevent fraud. He stated that as much as this might be a good idea, it would be very difficult to implement in Alaska. This bill also included home and community-based services, and either the Medicaid Ad Hoc or DD Committee wrote up their concerns with this legislation and presented them to the sponsors of the bill. This caused the sponsors to change the language of the bill to instead be a pilot, which would give the Department some leeway to determine which service population to implement the pilot on if the bill passes.

Ric Nelson shared a concern he has heard in the PCA world is that this legislation would put all the small agencies out of business and would only benefit the big three in the state that could afford to do it.

Mallory Hamilton stated that AADD also wrote a position paper similar to the Council's.

Art Delaune shared that there is a lot of opposition to this bill in the Fairbanks area because there is no money associated with this and the responsibility is on the agencies.

Anthony Cravalho also agreed that it would be impossible to implement such a system up in the Kotzebue area due to limited 3G access in many of their communities and even the fact that many people don't have cell phones in this area.

Committee members engaged in a further discussion about the possibilities or impossibilities of a system like this being workable in Alaska.

Dean Gates added that there are most likely other methods that could be researched to address the problem of provider fraud, which don't need to necessarily be imposed by a bill or require the technology that this bill requires.

HB 154/SD 49 – Establishing a Legal Services Fund

Patrick Reinhart reported that the last activity on this bill was in early March, and he has no further information on it at this time.

SB 91/HB 205 – Criminal Law Procedure Bill

Art Delaune and Ric Nelson reported that there was a hearing yesterday, but they don't have any information posted about that yet, but the bill appears to be continuing to move.

Anthony Cravalho asked for a summary of this legislation. Art Delaune shared a brief synopsis of the bill and will forward Anthony any information he has on it.

UPCOMING MEETINGS AND CONFERENCES

- May 5 – 6, Full Council meeting, telephonic.

TIME AND DATE OF NEXT LEGISLATIVE COMMITTEE MEETING

The next Legislative Committee meeting will take place during the full Council meeting May 5 – 6.

ADJOURNMENT

Mallory Hamilton **MOVED** to adjourn the meeting, **SECONDED** by Alex Gimarc. Hearing no opposition, the meeting adjourned at 12:02 p.m.