

Governor's Council on Blindness and Visual Impairment (GCBVI)
Legislative and Public Policy Committee Meeting Minutes
March 13, 2017

Members Present

Amy Porterfield, Chair*
Bob Kresmer*
Donald Porterfield*
Ed House*
Rich Sorey*

Members Absent

Ted Chittenden
Larry Wanger

Staff Present

Lindsey Powers, Admin Asst.
*Teleconferenced

Guests Present

Sherry Collins, ACDHH
Carmen Green, ACDHH

Call to Order and Introductions

Amy Porterfield, Chair, called the meeting to order at 1:08 pm in the RSA Conference Room, Phoenix, AZ. Introductions were made and a quorum was present.

Approval of March 6, 2017 Meeting Minutes

Bob Kresmer moved to approve the minutes of the March 6, 2017 SRC Employment and Community Partnerships Committee meeting. Ed House seconded the motion. Ed House requested the minutes be amended to reflect whether a client would benefit from a four-year degree or graduate school. Mr. House also requested the minutes be corrected to indicate whether a client's goals were consistent with the number of available jobs. The committee approved the amended minutes by unanimous voice vote.

Policy Manuals Review

- Workgroup Development

Amy Porterfield stated the Department of Economic Security (DES) Administrative rules were quite outdated. Ms. Porterfield noted the language was not compliant with the Workforce Innovative and Opportunity Act (WIOA) and included terms such as "handicapped" and "retardation". Amy Porterfield stated she asked whether Kristen Mackey, RSA Administrator,

was familiar with an updated document, and noted Ms. Mackey did not have an updated Administrative Rules. Amy Porterfield stated the committee should identify the items to bring forward to Henry Darwin, Interim DES Director, regarding the document. Ed House stated his recollection that RSA had started the process to update the regulations, and began writing the regulations internally, and had submitted the regulations to the DES representative and later the Attorney General's office. Mr. House stated at the time, RSA learned that the Attorney General's office was not processing regulations, and the project was put on hold. Ed House suggested the committee review the updated regulation version to review. Amy Porterfield stated Kristen Mackey was not familiar with an updated Administrative Rules document. Amy Porterfield suggested the committee develop some bullet points identifying the areas that were out of compliance with WIOA. Amy Porterfield stated she also forwarded the Administrative Rules for the Office of Procurement and noted she was unable to locate the internal Procurement Office rules. Rich Sorey stated he would continue to research the internal Procurement Office rules.

Amy Porterfield inquired regarding the establishment of workgroups in compliance with Open Meeting Law. Lindsey Powers stated she would look into the rules surrounding council workgroups. Amy Porterfield suggested the committee members establish Procurement, RSA Policy, and Administrative Policy workgroups. Bob Kresmer agreed to serve on the RSA Policy workgroup with Danielle Fowler and Nikki Jeffords. Amy Porterfield agreed to serve on the Procurement workgroup with Ed House and Rich Sorey. Amy Porterfield stated she would inquire whether Larry Wanger would serve on the Administrative rules workgroup.

Amy Porterfield noted that Kristen Mackey had responded to the committee's inquiries regarding the Post-Secondary Policy and had provided detailed answers. Ms. Porterfield stated Ms. Mackey answered the questions and offered options for consumers, and did not intend to eliminate options that would meet a client's vocational goals.

Policy and Legislation Discussion

Sherri Collins, Executive Director of the Arizona Commission for the Deaf and Hard of Hearing (ACDHH) stated that she and Carmen Green, the Deputy Director of ACDHH were pleased to attend the meeting. Ms. Collins stated some blindness organizations recently attended the Day at the Capitol and included the ACDHH's budget request for \$192,000 for Support Service Providers (SSP) funds. Sherri Collins stated the ACDHH was optimistic that the budget request would be approved. Sherri Collins stated when the Legislative session began; she would look for opportunities to partner with

the Arizona Health Care Cost Containment System (AHCCCS) or the Arizona Long Term Care System (ALTCS). She noted when an individual applied for services through ALTCS, that individual must meet several requirements to qualify for services. Sherri Collins stated deaf-blind individuals did not qualify due to the limitations on the assessments, and noted that deaf-blind individuals only qualified for services through Vocational Rehabilitation (VR) if those individuals were able to work. Sherri Collins stated ACDHH was funded through a telephone land line tax, and had a fund balance separate from the appropriations. Sherri Collins stated she was requesting to take \$300,000 of that fund balance to support community based services for the deaf-blind population. She stated if the ACDHH obtained the \$192,000 and the \$300,000, the ACDHH could outsource the deaf-blind services for about three to five years. Bob Kresmer stated he met with some Senators who were in favor of SSP services, although there was some confusion regarding the requirements to qualify for AHCCCS. Ed House stated he participated on the original development of AHCCCS rules and stated it was controlled by the Division of Developmental Disabilities (DDD). Mr. House noted the nature of the eligibility questions at the time, were best addressed by individuals with developmental disabilities. Sherri Collins stated if a deaf-blind individual had additional disabilities, that individual could qualify for AHCCCS services as a developmentally disabled individual with deaf-blindness.

Ms. Collins stated she developed a document to be shared with the Legislation, and noted she had not received any opposition thus far. She noted she indicated to the Legislation that the SSP services would be considered a Band-Aid and not a solution to providing SSP services to individuals. Sherri Collins stated she met with Representative Carter, who had recommended an amendment to the budget request. She stated she contacted Representative Shooter to ensure he was in support of the budget request, and noted she had not received a response. Amy Porterfield inquired whether anyone from the Governor's office had reached out to Representative Shooter and inquired regarding his position on SSP service funds. Sherri Collins stated she did not ask anyone to reach out to Representative Shooter specifically. Bob Kresmer inquired regarding the benefits of services included in the Talking Points that Sherri Collins developed. Sherri Collins stated she was developing a flyer that would include clarifications to the Talking Points document that she previously created. She noted she also shared a document with the Legislation indicating that deaf-blind individual's required Assistive Technology (AT) training, self-advocacy skills, Independent Living (IL) skills, Orientation and Mobility (O&M) and other training. Ed House stated those Talking Points were consistent with the document that Rehabilitation Services Administration (RSA) had developed years prior indicating that the majority

of deaf-blind individuals needed IL skills. Ed House noted that ALTCS referred to long term care services provided under AHCCCS. Bob Kresmer inquired whether the assessments included questions regarding whether the individual was able to integrate into the community. Amy Porterfield stated most of the assessment questions were related to self-care, and noted that AHCCCS service qualifications were largely based on the individual's income. Sherri Collins stated some individuals qualify for AHCCCS, and did not necessarily qualify for ALTCS services. Ms. Collins stated she and Carmen Green would meet with AHCCCS to discuss the gap in service provision for deaf-blind individuals. Ed House stated he met with AHCCCS previously, and noted the organization originally approved of deaf-blind services, although the services were later denied by another individual in management.

Amy Porterfield inquired regarding a meeting Carmen Green had with ALTCS several years prior. Carmen Green stated the ACDHH, RSA, and some ACDHH outreach representatives met with AHCCCS to encourage AHCCCS to look at SSPs as comparable to personal care attendants. Ms. Green stated AHCCCS questioned the functional limitations of the deaf-blind individuals, and the training that SSPs completed that allowed SSPs to be certified. Amy Porterfield summarized that the Governor was in support of additional funds for SSP service, therefore the GCBVI could advocate for SSP service funds. Ms. Porterfield stated the council advocates would require detailed information regarding the request for additional funds in order to communicate with Representative Shooter. Bob Kresmer noted Representative Shooter would likely inquire whether individuals could receive services under IL through RSA. Sherri Collins stated there were limited IL funds. Ed House stated some RSA services would be considered ongoing services, although some RSA services were time-limited. Mr. House noted years prior when RSA was communicating with AHCCCS, the question came up regarding SSP certifications and whether SSPs could be compared to personal care attendants. Sherri Collins stated the \$192,000 in funds would be considered a Band-Aid for SSP services, until a system was developed to provide SSP services long term. Carmen Green stated RSA's research noted the majority of deaf-blind individuals were over a certain age, and were not seeking employment. Ms. Green stated those individuals were not receiving services, and needed SSPs to grocery shop, or go to doctor appointments. She stated those individuals were not qualifying for ALTCS services, because they were not meeting the functional limitations requirements. Bob Kresmer inquired whether ACDHH had many progress towards SSP certifications. Carmen Green stated ACDHH was partnering with the University of Arizona to develop a SSP training curriculum. She noted the first SSP training would likely be in July, in which the participants would be certified SSPs once completed. Bob Kresmer inquired whether a certified SSP could also be a certified personal care attendant. Sherri Collins stated her understanding

that other organizations that use personal care attendants offered their own training programs. She noted if a SSP was interested in receiving additional certification, that individual could complete the personal care attendant training. Amy Porterfield stated the GCBVI had advocated for the additional \$192,000 for SSP services, and would also advocate for \$300,000, which would go towards the development of infrastructure and services. She noted that Medicaid was a hot button within the Legislation. Bob Kresmer inquired whether the request for the \$300,000 would be for the current year, or whether the ACDHH would request the same funds next year. Mr. Kresmer inquired regarding the solutions other states had identified regarding deaf-blind services. Sherri Collins stated some other states were offering deaf-blind services, although their infrastructure was different. Carmen Green stated she did not have the exact numbers, although about twenty states provided SSP services that were funded through different methods.

Amy Porterfield inquired regarding the time period of the funding request. Sherri Collins stated the ACDHH was requesting the funding for three-five years. Ms. Collins noted she did not have previous data regarding SSP service costs, and was therefore requesting \$300,000, although that number could change. Amy Porterfield stated the GCBVI could speak with Representative Shooter and indicate the Governor was in support of SSP service funds. Ms. Porterfield stated she would reach out to Larry Wanger and inquire whether Mr. Wanger would be able to meet with Mr. Shooter, if Ms. Porterfield was unable to meet with the Representative. Sherri Collins stated she would develop the Talking Points flyer and would distribute to the council once completed.

Agenda and Date for Next Meeting

The next meeting of the Legislative and Public Policy Committee will be determined. Agenda items are as follows:

- Policy Manuals Workgroups Discussion
- Policy/Legislative Discussion

Announcements

There were no announcements.

Public Comment

A call to the public was made with no responses forthcoming.

Adjournment of Meeting

Bob Kresmer moved to adjourn the meeting. Donald Porterfield seconded the motion. The meeting was adjourned at 2:30 pm.