

Arizona Achieving a Better Life Experience (ABLE) Act Oversight Committee Meeting Minutes

July 25, 2017

11:00am -12:30pm

Location: 1789 W. Jefferson St.

Phoenix, AZ 85007

3rd Floor, SE DBF Conference Room

Meeting called to order at 11:07 am

In Attendance:

Robert Fleming - Committee Chair
Joyce Millard-Hoie - Committee Member
Karla Phillips - Committee Member
Grahame Richards - Committee Member
Brittaney Chipley - ABLE Executive Director
Debra Peterson - Arizona Department of Economic Security, Assistant Director
Marcella Crane - Public Member
Christian Eide - Arizona Department of Economic Security, Rules Analyst
Rod Huenemann - Arizona Department of Economic Security, Executive Consultant
Anthony Hill - Arizona Department of Economic Security, Lead Rule Analyst
Wendy Wilda - Arizona Department of Economic Security, Executive Assistant

1. Welcome and introductions
2. Approval of April 11, 2017 and June 13, 2017 meeting minutes.
 - a. Joyce Millard-Hoie motioned to approve the previous meeting minutes, Debra Peterson seconded the motion. Minutes are approved unanimously.
3. Rules Unit Presentation (Anthony Hill, Rod Huenemann, Christian Eide)
 - a. Anthony Hill gave an overview on the differences between rules, guidelines, procedures and statutes. The rules are named in the legislation and you want it to include details about your program. He said the best start would be to look for gaps of what is not addressed in the legislation and to expand on the eligibility requirements. The rulemaking process is very detailed and there is a rule making manual available at the Secretary of State website.
<https://www.azsos.gov/sites/azsos.gov/files/2011-arizona-rulemaking-manual.pdf>
 - b. Currently there is an Executive Order 2017-02 that puts a moratorium to rulemaking, however, there are exemptions listed that would meet the requirements for establishing rules for the ABLE Act Oversight Committee. DES will put together a justification to request an exception. Once we receive the approval we can move to the formal rulemaking process. The formal rulemaking process is very lengthy. However, you can begin to work on an outline and informal rules until the approval is received.

4. Updates – AZ 529, Consortium and State Partnerships Review (Brittaney Chipley)
 - a. Partnership Review (Excel Spreadsheet, Attachment 1) Brittaney reached out to other states and received key information that she compared and reviewed. During this review, information regarding the revenue opportunities for the program was discussed. Legislation is written that the Committee was allocated initial operating money to build the program, however, the assumption is that the rest of the funding is to come from a self-sustaining program. The Committee needs better data to determine the costs and needs. The Committee tabled the topic of funding for the next agenda.
 - b. Other issues discussed was the freedom to personalize the programs and what support is available.
 - c. Brittaney reviewed a PowerPoint presentation that lists the benefits and pros and cons of working with other states, the consortium, or on our own. (PowerPoint, attachment 2). Robert asked about other states that don't participate but refer their clients to other state's programs. Brittaney will reach out to them for additional information. There was discussion about the funding and oversight. There seems to be hidden fees and administrative burden that is associated with the Consortium. Debra added that as if right now you need to determine how it will be structured and what the needs will be. Karla added that the SSA requirements alone will be a large cost. Joyce added that we need additional information before making a decision. Robert would like to invite a couple of states in to provide presentations. He would also like the numbers on how many in Arizona may be qualified to participate in these plans. Brittaney will contact Oregon, Ohio, Massachusetts (pending response), and the Consortium program manager to invite them to do a presentation.
 - d. Brittaney also distributed the NE fee schedule that they sent. (Attachment 3)
5. Project Plan Review (Brittaney Chipley)
 - a. Brittaney distributed the ABLE Implementation Plan (Word Document, Attachment 4). She reviewed the items that are completed and the next steps in the process. Brittaney is working on a Facebook page for the program and will have it in place by September. Brittaney and Robert will be meeting with the DES Legislation team to look forward on any new/changes to legislation. Debi would like to be included in these meetings. Robert would like to discuss tax deductions, special needs trusts, guardianship/conservatorship statutes, payback, and the program budget.
6. Open Forum/ Call to the public: None

Meeting Adjourned at 12:40pm.

Brittaney Chipley, ABLE Executive Director

Robert Fleming, ABLE Committee Chair