

# OREGON DISABILITIES COMMISSION

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Thursday • November 6, 2008 • 1:00 P.M. – 4:00 P.M.

Conference Room 137C&D • DHS Building • 500 Summer Street NE Salem, Oregon  
97301

## **MEMBERS PRESENT:**

Frank Armstrong

Ann Balzell

Janet Campbell

Judith Cunio

Cindy Helvington

Bill Lynch

Ruth McEwen

Martha Simpson

Sherry Stock

Frank Synoground

Tina Treasure

Bill Wellard

## **MEMBERS EXCUSED:**

Marcie Ingledue

Kedma Ough

## **GUESTS:**

Cathy Cooper

Tim Baxter

Sara Kendall

Cheryl Sanders

Mike Volpe

## **STAFF PRESENT:**

Max Brown, Advocacy Coordinator

Kelsi Eisele, Administrative Staff

Karen Mainzer, Intergovernmental Relations Liaison

## **AGENDA ITEMS:**

### **CALL ALL TO ORDER**

- Introductions
- Review and Approval of Agenda
- Review and Approval of Minutes
- Updates/Announcements

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## **CURRENT ISSUES**

- Budget Reduction Overview – Cathy Cooper, Seniors and People with Disabilities
- Effects of proposed cuts to Employed Persons with Disabilities (EPD) Program
- Effects on the Home Care Commission and In-Home Services
- Questions and Discussion

## **COMMISSION BUSINESS**

- Legislation Processes
- Action re proposed cuts to EPD and HCC
- ODC Planning Day Follow Up
- Policies and Procedures

## **LIAISON REPORTS (SELECTED)**

## **PUBLIC COMMENT**

## **ADJOURN**

## **CALL TO ORDER**

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Bill Lynch called the meeting to order at 1:05 P.M.

### **Introductions**

Commission members, staff, prospective members, and guests introduced themselves.

### **Review and Approval of Agenda**

Members reviewed and approved the agenda as written.

**Motion:** Janet Campbell moved to accept the agenda as written. Frank Armstrong seconded the motion.

**Vote:** 9-0-0-5

**Yeas:** Armstrong, Balzell, Campbell, Cunio, Helvington, Lynch, McEwen, Simpson, Synoground

**Nays:** 0

**Abstentions:**

**Excused:** Ingledue, Ough, Treasure, Stock, Wellard

**Motion carried.**

### **Review and Approval of Minutes**

Members reviewed and approved the minutes with corrections.

Ruth McEwen made a correction to the minutes on page 5 to correct the spelling of PCAC to PDAC.

Cindy Helvington made a correction to remove her name from the minutes as she was not in attendance.

**Motion:** Janet Campbell moved to accept the minutes with corrections. Frank Armstrong seconded the motion.

**Vote:** 7-0-2-5

**Yeas:** Armstrong, Balzell, Campbell, Lynch, McEwen, Simpson, Synoground,

**Nays:** 0

**Abstentions:** Helvington, Cunio

**Excused:** Ingledue, Ough, Treasure, Stock, Wellard

**Motion carried.**

### **Updates/Announcements**

- Frank Synoground requested for speakers to submit handouts prior to the meeting so alternate formats can be available at the meeting and everyone can follow along.
- Cathy Cooper announced that on December 12<sup>th</sup> there will be a forum on the Governor's Recommended Budget. From 9:30-11:30AM in the Employment Auditorium\* there will be an Aging and Physical Disabilities meeting and from

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2-4PM there will be a Community Based Care rates meeting. From 1-3PM the same day at Church Street\* there will be a Developmental Disabilities meeting.

“\*” Note: Location Change to State Fairgrounds

- Bill Willard reported on the Building Code Structure Board meeting and discussed the Governor’s energy savings plan. There was a side comment that they are looking at international buildings codes and how they link up with Oregon’s building codes. The goal would be to have ADA codes all be the same.
- Max Brown reported on the Housing with Services Workgroup where Julia Huddleston is looking for representatives to serve on this workgroup. Ruth McEwen asked to participate.

**Action Item:** Ruth McEwen asked to be a representative on the Housing with Services Workgroup. Max Brown will send Ruth’s contact information to Julia Huddleston.

**Action Item:** Bill Lynch requested a list of all organizations that ODC members belong to. This list would include commission members names, name of committees, and vacancies that maybe available.

**Action Item:** Max Brown will work with Karen Mainzer to find the recent study of transportation funding and will share with the commission.

## **CURRENT ISSUES**

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### **Budget Reduction Overview**

Cathy Cooper, Deputy Assistant Director of Seniors and People with Disabilities (SPD), distributed handouts and reported on SPD 10% Reductions for 2009-11 and the Budget Development Process. Cathy gave a high level view of:

- Ways and Means process
- Governor’s Recommended Budget to be unveiled on Dec. 1<sup>st</sup>
- Economic Forecast due November the 19<sup>th</sup>
- 10% Reduction list is a list that is constantly changing, and updated; as the Oregonian reported, 20% Reduction lists are now being asked for by the Department of Administrative Services

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- \$881 Million cut in General Funds to DHS
- Home Care Workers training budget reduction
- Elimination of health insurance coverage for Home Care Workers for less than 30 hours work per week
- Elimination of Retired Senior Volunteer Program
- Delay Cost of Living increase for six months to January 2010 for some providers in the Aging and Physical Disabilities program
- Reduction to Employed Persons with Disabilities and Employment and Community Inclusion Services
- Diversion Transition savings
- Nursing Facilities costs limits
- Reduction of Juvenile Psychiatric Security Review Board (JPSRB)
- Housing Fund General Fund
- Reduction on new Developmental Disability (DD) Brokerage service
- Specialized nursing facilities limit
- Reduction of Medically Fragile Unit funding
- Reduction in DD Comprehensive Services
- Reduction in Family Support program for DD
- Reduction in Special Projects DD
- Department Reductions that impact SPD
- Policy Option Packages
- Oregon Project Independence
- Federal matching dollars to the Medicaid program – a stimulus bill may provide a temporary increase in these federal funds

Frank Armstrong voiced his concern that program cuts will lead to an increase of homeless people. Ruth asked who was advocating for Federal legislation to make sure federal matching fund increases are in the stimulus package. Judy questioned the chances of it passing and Cathy feels that it is very likely.

**Action Item:** Max will provide Ruth with the overall funds from the Governor's Recommended Budget, as well as Department-wide and SPD numbers by federal fund, general fund, and other fund.

## **Effects on the Employed Persons with Disabilities Program**

Sara Kendall, Oregon Vocational Rehabilitation Services, Project Manager for Medicaid Infrastructure Grant and Tim Baxter, Attorney, Lane County Legal Aid & Advocacy Center, reported on the effects of Employed Persons with Disabilities Program. Sara shared this grant creates a work incentive network that assists people with disabilities to make real money and receive health insurance. There are thirteen federal work incentives programs and there are over 30 Oregon state work incentives programs. Today over 1,300 people have been served with eight staff members throughout the state who provide benefit counseling services. The EPD program found out that:

- 795 people received SPD services out of 1,280 records.
- Out of those 795 who received SPD services, 76 were waived by SPD staff.
- Out of the 76 waived, 21 people received jobs.

Judy Cunio voiced that she would be lost without the EPD program and will do what she can to help. Bill Lynch asked where the cuts are going to happen and what the impact might be. Cathy Cooper shared that the program is not going away. Out of \$45 million in the program overall, it is a proposed \$3 million cut and has not been determined where cuts will be made to get to the \$3 million.

Tim Baxter voiced his concern of not knowing of the 10% reductions. Cathy informed the commission that SPD had very short notice to come up with reductions and this is why there will be a meeting held December 12th to go over all of the reductions. Bill Lynch asked for better communication responses from SPD and on holding meetings.

Bill Lynch would like a commitment from SPD that the EPD workgroup be involved in every step of the way with implementations and cuts. Bill asked for ODC to be the workgroup that looks at the cuts to the program. Tim Baxter would like to help with restructuring the program and wanted to be in on the meetings as well. Tina Treasure shared how SPD use to work together and shared that they are striving to get to that point again.

**Action Item:** Cathy Cooper reported that SPD will reconvene EPD workgroup if this budget cut shows up in the Governor's December Recommended Budget and staff will notify the commission.

### **Effects on the Home Care Commission and In-Home Services**

Cheryl Sanders, Home Care Commission Executive Director, and Tim Baxter, Attorney, Lane County Legal Aid & Advocacy Center, discussed effects on the Home Care Commission and in-home services. Cheryl distributed handouts on registry and referral system, ensuring quality, and STEPS to success with your homecare worker. The HCC ensures in-home care quality for in-home services for Seniors and People with Disabilities. Cheryl discussed HCC training and how vital it is to have in order to give excellent service. Currently there are 40 to 45 training classes per month around the state of Oregon. These classes are for home care workers, but they also find that adult foster home providers, family caregivers and other types of providers attend these trainings. Currently, there are 2,784 trained homecare workers who have taken classes on health and safety, strains and sprains, preventing disease transmission, and Taking Responsibility In Personal Safety (TRIPS). HCC has also contracted with individuals for specialized training when needed. Cheryl shared that they bring training to small rural areas where there is no training available. Cheryl is concerned if there are cuts to HCC what will happen to the care of consumers/employers.

From a lawyer standpoint, Tim Baxter shared that there maybe some liability involved with taking away training after having it.

Cheryl discussed homecare workers opportunities through HCC:

- Training classes
- CPR/First Aid certification
- Professional Development Recognition

Cheryl referred to the enormous cuts in 2003 to SPD where many of the programs cut never came back and consumers suffered. Cheryl reminded ODC to speak loudly and let the Legislature know what their concerns are.

**Action Items:** Bill Lynch would like to discuss how to become better organized in order to have a bigger voice related to SPD, the need to speak with one voice in defense for DHS and DHS budget, and revenue generation.

## Questions and Discussion

### COMMISSION BUSINESS

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#### Legislative Processes

Bill Lynch discussed how ODC will structure themselves during the legislation session. Bill and Ruth will review the bills pertaining to ODC and will determine if ODC takes on the bill, takes an active role, or both. Every meeting will start by discussion of the bills that Bill and Ruth feel that ODC should take action on.

Karen Mainzer shared that when the commission ranks the bills and take on a priority one, ODC is taking the lead on the bill and needs to decide if the commission is going to testify or write a letter of support. Karen cautioned the commission to limit the number of priority ones so the commission can be effective with the bills they want to pass.

Jan Campbell questioned if there is a way to know what groups are sponsoring which bills so ODC can join in and work as a team. Sherry Stock reported on a way to receive automatic notices of hearings and who is sponsoring the bill. This is through the Network of Care website, which has a legislative tracking function for advocates and community stakeholders. Max Brown shared SPDs process with tracking the bills.

**Action Item:** Max Brown will research the People with Physical Disabilities Advisory Committee's old records of how bills were tracked to see if ODC could use the same tracking system. Discussion will continue at the ODC's Executive Committee meeting in December.

**Action Item:** Bill Lynch asked Max Brown to give input on bills that he finds and thinks ODC should track by naming it priority one, two, three, etc.

**Action Item:** Tina Treasure will work with Karen Mainzer and Max Brown on clarification of guidelines that DHS has for state workers who are a part of the commission so they know what they can and cannot do regarding testifying.

### **ODC Planning Day Follow Up**

Not discussed.

### **Policies and Procedures**

Not discussed but placed on the January meeting agenda.

### **LIAISON REPORTS (SELECTED)**

None.

### **PUBLIC COMMENT**

Mike Volpe reported that the Employment Auditorium is not very accessible for people with wheelchairs to maneuver in and suggested staff to check into it.

**Action Item:** Max and Karen will research the Employment Auditorium to make sure it is wheelchair accessible.

**Action Item:** Bill Lynch invited Representative Sara Gelser for a presentation on her Protective Services bill and asked Max for an hour on the next agenda for Sara.

**Meeting Adjourned:** 4:13 P.M.