

People with Physical Disabilities Advisory Committee
April 11, 2007
Meeting Minutes

Participants: (X = attended, A = absent; E = Excused) – April 11th

Members			
X	Jan Campbell	X	Ruth McEwen
X	Donna Crawford	A	Dayle Niemie
E	Tonita Croghan	X	Karen Showers
X	Kathryn Jenness	X	Mike Volpe
X	Scott Lay		
Prospective Members			
X	Linda Hildebrand	X	Ed Zaha
E	Cecelia Van Horn		
Staff			
Lee Girard and Becky Murphy			
Public/Guests			
Tim Baxter (Eugene)			
Speakers			
Nicole Palmateer		Gene Sundet Cathy Cooper	

Call to Order (9:10 – late because of technical difficulties)

Agenda

There were no changes made to the agenda.

Review of Minutes

MOTION: Accept the minutes as written. *Passed.* (Jan Campbell/Mike Volpe)

Follow-up Action Items

Becky reported the “To Do List” (in meeting packet) has a few updates:

- The video conferencing sites were checked, including Oregon City’s for Donna.
- The Strategic Planning Goals were revised; two more documents were created, completed and those needing to be completed.
- Deb Wert, DHS Transportation Manager, was contacted about shared transportation and reimbursement, but I will also contact DAS.
- May’s meeting will be held at the Human Services Building.

Staff Updates (Lee Girard)

The first round of interviews have been completed for the Operations and Policy Analyst (OPA) 2 position, who will work with PDAC and ODC. A second round of interviews will take place next week. Lee reminded members that the interviews can be done and the job offered, but the candidate cannot start until July 1st (when it is believed the hiring freeze will be lifted).

Lee met with Facilities and SPD staff regarding the accessibility issues of the Church Street building. She will share her list showing the issue, what has been done, and a time line of when it will be completed. Lee reminded the committee there is also a freeze on purchasing and gave an update about the raised tables for the conference room.

04AD Legislative Update (Nicole Palmateer)

Nicole gave an overview which included bills and the Co-Chair's Budget --- how it effects SPD's budget, OPI and tax referrals, equity in AAAs, and OHP.

Bills:

- HB 3330 – Disabilities Task Force which will include all physical disabilities – their care, services, and support. This will also have a broader scope to include housing and transportation.
- HB 2914 – General Assistance.
- Health Care Reform (several bills) – Medicare has been separated; it is hoped the long term care system will also be considered separate.
- HB 2032 – County Taxes, which would take monies from OPI. 04AD opposes this bill which would set a bad precedent. The reported financial impact doesn't make sense. 04AD gave options: wait until it's known about OPI funding; personal responsibility; or have limits included.

Questions arose about accommodation issues at the traveling legislative forums – very short notice, transportation issues for seniors and people with disabilities, and the length of time (to have a chance to testify one needs to arrive up to two hours early to sign up).

04AD may send a letter (in which members as individual citizens could support) regarding transportation and health issues.

Nicole reported the Co-Chairs Budget has problems but the Co-Chairs think it is more sustainable than the Governor's

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Recommended Budget. 04AD has concerns with the tax increases (of a corporate minimum and for cigarettes) relaying different messages.

ACTION: Send budget comparison that Nicole was using as a guide.

Debriefing:

Scott suggested and PDAC decided to invite a member of the Disability Caucus to the May meeting.

ACTION: Invite legislator to the May meeting.

Issues from March Meeting (Gene Sundet)

#1. Accommodation Allowance (formerly Shelter Exception)

Questions:

- Why was the lesser utility allowance chosen to cover all living situations? Gene mentioned it could be revised to a “set amount or actual bills” (receipts would be needed for actual amounts).

- What caused the own/rent differential to be disregarded? DHS wanted to have the same standard and more equity.

Mike asked about shift and overnight caregivers that don't live in – but an extra room is still needed, etc. Currently there is no provision. Gene will look into it.

Scott questioned the analysis for those clients impacted. Gene will send the analysis to Becky to distribute (after Lauren Mitchell returns from vacation).

#2. Changes to Spousal Pay – will require co-pays now.

SPD was concerned since it is a general funded program which is already capped. The Legislature requested they check into federal waivers. A letter was sent to 128 clients and 74 were impacted. Staff are working individually in calculating medical deductions, diversion, etc. SPD believed a federal waiver was positive so the program would not be eliminated.

Questions:

- Why was the decision made? Long-term, stable service plan.
- What methods have been considered that might lessen the impact of this new pay-in where previously there was no pay-in? See above paragraph---calculating medical deductions, etc.
- Grandfathering in? No
- What about new clients? Same for waived services.
- What system changes can be made? Through the Oregon Legislature and constituents.

Central Office Contacts for this program is Mary Lang (503-945-5799; Mary.L.Lang@state.or.us) and Joe Easton (503-945-6453; Joe.K.Easton@state.or.us).

Jan asked about how rules are repealed. Cathy answered that rules can be modified or revised – temporary emergency rules can be issued.

Scott mentioned that at Monday's meeting, Gene said this rule was rewritten three times but pulled. He would like to review the

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older versions---if Gene can find them, she will send them to Becky to distribute.

Tim Baxter gave an overview of Monday's meeting:

- Attendees: Scott, Ruth, Donna, Mike, Tina Treasure, Tim, Cathy, James, and Gene.
- James stated the reason for the meeting was a lesson on how consumers should be involved. Consumers want to participate, not just to react.
- Cathy/Gene reported the rule change was to bring uniformity across the state; clarify application of the rule; and to impact the least amount of clients.
- James plans to have a follow-up meeting in a couple of weeks.
- Mike mentioned he thought the three reasons for the rule change was: clarity and equity achieved, easier interpretation by field, and saving money.
- Tim mentioned that James stated it was not very clear there was savings since it only saved about \$84,000.
- It was requested that Lauren attend the next meeting.
- Ruth mentioned she felt there was a good discussion about case managers and the need for more training across the state. Cathy reported that when errors are resolved, they try to make sure clients are not harmed which should be reflected in training.

Gene volunteered that herself or someone else from her unit would have a standing agenda item at meetings to come to discuss proposed rules and any "hot topics". The proposed

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rules analysis would be in a new easier to read format: rule, explanation, and impact to client.

Debriefing:

- Scott still has a difficulty understanding the reason for the accommodation allowance rule change was made, but will wait to see what James does.
- Lee thought it will be very helpful that Gene or one of her analysts come monthly.
- Mike believes there is no equity and only a minimum of savings.
- Karen wondered about actual utility reimbursement and receipt process.
- Scott still sees many problems, limited utility, rules misapplied in field, many other issues, and retroactivity.

Committee Member Comments

Karen shared about “public information” - how she googled her name and came up as part of PDAC.

Public Input (three minutes per person)

Linda Hildebrand (prospective member) asked questions about the two rules (discussion with Gene) and Scott answered them. She also wanted the Chair and members to know she had submitted her application to become a member. Linda also

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mentioned again the accessibility/accommodation issues with the regional legislative meetings.

Ed Zaha (prospective member) stated he had gained much information from the meeting.

DHS/SPD Update (Cathy Cooper)

SPD Budget - DHS Rebalance will be on April 16th & 17th which looks positive. The Ways & Means presentation starts on April 23rd (all subcommittees have shortened their time). After all the presentations, there will be a time for public testimony. Cathy will send schedule regarding public testimony after confirmation. Cathy also mentioned the “reshoot” for the Governor’s Recommended Budget is May 10th. SPD has a slight decline in expenses for in-home services, and a slight increase in nursing facilities. Currently the May forecast looks flat.

Cathy mentioned the comparison of the Governor’s Recommended Budget and Co-Chair’s Budget – the differences include: Equity, OPI, Network of Care (Department-wide Services), and the Long Term Care Ombudsman.

Legislative Update - SPD is tracking over 1,000 bills.

Money Follows the Person Grant Update - The Centers for Medicare and Medicaid Services (CMS) is hoping to make an announcement of grant recipients by the end of April. If Oregon receives the grant, 800 clients will be moved out of nursing facilities to in-home/foster like homes over the next five years.

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Future of Long Term Care (FLTC) Update - The full work group met on April 6th. The third version of the report was discussed. Comments need to be submitted in a couple of weeks. The FLTC draft report and the Governor's Commission on Senior Services (GCSS) report on the forums will be included in the Ways and Means presentation.

There will be three work groups:

- Formerly groups #1 - #5 will combine, working on healthy living and community livability (housing, transportation).
- Formerly group #6 will work on changes to state plans, and waivers; dealing with the Deficit Reduction Act.
- Group #9 Work Force Development. A presentation and recommendations given regarding certified nursing aids (CNAs) and direct care.

There are plans for more forums which will mean more bills for the 09-11 session and increased budget. Consultants may be hired to hold summits and focus groups to gain input.

Scott asked about the March's meeting with discussion on Independent Choices (IC). Cathy explained that IC was considered cashed out benefits by CMS – research and demonstration waiver. SPD wants to go statewide for IC. Oregon only renewed one year because the state has to move to another kind of waiver. CMS only has a template, no final regulations, and DHS does not want to move forward until sure there would be no detriment to clients. Regulations will possibly be released in August. Oregon may possibly request to extend another year to transition clients in case IC cannot be renewed.

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Reports

Liaisons

One draft report from Linda on Emergency Preparedness was received too late for April's meeting---it will be included next month. Ruth has several reports she needs to submit for next month.

Subcommittees

Scott had nothing to report from the Employment Subcommittee since only he and Tim Baxter participated in the monthly phone meeting.

Strategic Planning Goals Update

There were three versions in the meeting packet---all, one with completed goals, and one with goals to be completed.

One revision needed---to take Peggie's name off.

New Issues and May's Agenda Items

- SPD/DHS Update with James Toews and/or Cathy Cooper.
- Gene Sundet, Joe Easton, and/or appropriate staff to finish March issues.
- A DMAP update from Jon Pelkey and Sharon Hill.
- OPI Rules Work Group Update with Lynda Dyer or Lee.
- Mary Gear – introduction to the PDAC.

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- “Conflict of Interest” and “Confidentiality” discussion.
- Disability Service Advisory Councils (DSACs) statewide.
- Debriefing after speakers/reports/updates.
- Discussion on educating the committee before bringing up issues to guests.
- Debriefing/networking/socializing – at least one hour.
- Usual liaison and subcommittee reports; strategic goals update.
- Debbie Bower or Max Brown for a brief legislative update.
- Request possibly written update on MMA from Christina Jaramillo.
- Presumptive Medical Disability Determination Team (PMDDT) Overview by Nancy Talbot and/or Erika Miller.
- Member of Senior and Disability Caucus.
- Possible letter to Home Care Commission (HCC) regarding salary negotiations for home care workers – consumer/service hours as a priority over employee wages/benefits.

Adjourned (12:00)