

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

**LEGISLATIVE COMMITTEE
MINUTES**

Videoconference Host:

Governor's Council
550 W. 7th Avenue, Suite 1220
Anchorage, Alaska

Meeting Date

May 8, 2024
1:30 p.m. – 3:00 p.m.

Attendees:

Caitlin Poindexter, Chair
Art DeLaune
Jeanne Gerhardt-Cyrus
Corey Gilmore
Shelly Vendetti-Vuckovich
Jena Crafton
Margaret Evans
Carl (CB) Brady

Guests:

Sabrina Richmond
Michael Christian
Cheryl Blakney
Chelsea Burke
Anna Williams
Garrett Dominick

GCDSE Staff:

Jamie Kokoszka
Patrick Reinhart
Rich Saville
Ian Miner
Michael Stevenson

Prepared by: Sheila Garrant, Peninsula Reporting

CALL TO ORDER – 1:29 p.m.
ROLL CALL – Quorum established

WELCOME FROM THE CHAIR

Introductions, Announcements, or Good News

Caitlin Poindexter welcomed attendees to the meeting and opened the floor for introductions. Cheryl Blakney introduced herself as a nurse and owner of the RADHome in Palmer, which services community clients for day habilitation and in-home support, as well as the operator of two group homes for adult men with developmental disabilities.

CONFLICT OF INTEREST DECLARATIONS

No conflicts of interest were declared.

APPROVAL OF AGENDA and MINUTES

Shelly Vendetti-Vuckovich **MOVED** to approve the May 8, 2024 meeting agenda as presented, **SECONDED** by CB Brady. Patrick Reinhart noted a correction to the start time of the meeting. Hearing no objection, the motion **PASSED**.

Shelly Vendetti-Vuckovich **MOVED** to approve the April 2024 meeting minutes as presented, **SECONDED** by CB Brady/Art Delaune. Hearing no objection, the motion **PASSED**.

REPORTS

Chair Report

Caitlin Poindexter reported that Director Duane Mayes and Chelse Burke have resigned from the Legislative Committee.

Caitlin Poindexter reported that she and other Council members attended the Disability Policy Seminar (DPS) on April 8 – 10, 2024. She remarked that it was an excellent seminar with good information about how things work at the federal level and how other states operate. It was also valuable to be able to connect with Alaska's delegation. Caitlin shared that her most meaningful connection was with Marty Ford, the director of legal advocacy with The Arc of the United States. Caitlin hopes Marty can attend a future Governor's Council meeting to learn more from her. Rich Saville shared that he was pleased with how much face time Council members got with the Alaska delegation. Jena Crafton shared that it was a nice trip, and the visits with the Alaska delegation were great. Chelsea Burke added that she thought the DPS was impactful. She appreciated the various agencies representing Alaska (LEND, LINKS, and the Governor's Council) coming together to make connections and presenting a powerful voice for Alaska at the seminar.

Caitlin Poindexter noted that the legislative session ends May 15th, 2024. She said that decisions need to be made on whether or not the Legislative Committee will meet over the summer or offer training to committee members in preparation for the next session. Patrick Reinhart noted that typically the Legislative Committee breaks for the summer; however, because it's a national election year, it would be appropriate to meet sometime during the summer.

GCDSE Staff Report

Governor's Council staff shared the following information:

- The Council hired Chelsea Burke as the new planner. She will begin work on Monday, May 13, 2024.
- Jena Crafton and Patrick Reinhart will attend the Trust's meeting in Ketchikan in late May.
- The next Council meeting is scheduled for May 30 – 31, 2024. The fall meeting is tentatively scheduled for September 19 – 20, 2024 in Anchorage.
- The Shared Vision survey has been distributed. The Council has received many responses. Please take the time to complete the survey and return it to the Council.
- The Legislative Committee plans to provide a complete update of legislative actions at the May Council meeting.
- The Council has begun discussions about applying for a grant in partnership with the Statewide Independent Living Council (SILC); the Department of Family & Community Services (DFCS), specifically the Division of Juvenile Justice (DJJ) and Office of Children's Services (OCS); the Advisory Board on Alcoholism and Drug Abuse (ABADA) and the Alaska Mental Health Board (AMHB) on a new employment and transitions grant aimed at high-risk youth and justice-involved youth and young adults. The grant application is due July 8, 2024.
- The Mental Health Trust Authority's Improving Lives Conference is scheduled for September 17 – 18, 2024 at the Dena'ina Convention Center in Anchorage.

Patrick Reinhart noted that many Council members received a communication from the Governor's Office saying their term expires at the end of June. He reminded members that if they are interested in reappointment to the Council, they must resubmit an e-mail saying they would like to continue and include an updated resume.

BUSINESS

AKLeg.gov

Jamie Kokoszka reminded the committee that <https://www.AKLeg.gov> is a valuable resource for tracking legislative activity during the session. She noted that a fact sheet with links to the legislative process in Alaska was attached to the meeting agenda. Jamie indicated she and other Council staff have advocated for closed captioning and/or ADA accommodations for deaf/hard of hearing persons at meetings related to

HB 111/SB 143, acts relating to education for the deaf and hearing impaired. Rich Saville reported that he will continue requesting accommodations for each HB 111/SB 143 meeting. Rich noted that it doesn't solve the overall issue of the hearing-impaired population not being able to follow the legislature, but it will at least cover the current proposed legislation. He shared that over the recess, Council staff will follow up with the legislative leadership to address the issue.

2024 State Legislative Updates and Discussion

Joint Advocacy:

- HB 360, Home Care Employment Standards Advisory Board
 - Update: A new bill was introduced by Representative Prax to create an advisory board to advise SDS on rates related to personal care services and other home health care. It is believed to be an end run to the typical way rates are set, i.e. rate studies. This process would be in advance of a rate study. The bill has been referred to House Finance. This bill was requested by the Service Employees National Union (SEIU) in Seattle. It is not supported by some Council partners, but the Council is interested in it because the Governor's Council is named as having a seat on the board.
 - The Council will be watching HB 360 and plans to follow up.
- HB 355, Statewide Public and Community Transit Plan
 - Update: It had a hearing in House Transportation on May 2, 2024. Patrick Reinhart talked with the DOT Commissioner Ryan Anderson, who said he supports it. The bill was not referred.
 - Related to HB 355, there has been a discussion about recreating a capital transit match fund in the capital budget. That was one of the three recommendations from supporters of the bill. It was brought onto the House floor as an amendment to add \$1M to do it, and it failed 23-17. However, in the capital budget on the Senate side, the Senate did include \$6M as a pot of funding for the federal grant match. It is not clear if community transit providers can apply for that. It names the Denali Commission as the entity responsible for the funds. Patrick Reinhart plans to follow up with the executive director of the Denali Commission for more information.
- SB 104/HB 161, Civil Legal Services Fund
 - Update: The Council's SB 104/HB 161 position paper has been submitted. A meeting was scheduled for May 2, 2024 before House Finance, but that was rescheduled for May 3, 2024. It was then rescheduled for May 9, 2024.
- HB 219, Repeal Assistive Technology Loan Program
 - Update: The Council's position paper related to HB 219 has been submitted. HB 219 had a hearing on April 12, 2024 and passed the House on April 18, 2024. It has gained eight co-sponsors in addition to the bill's original sponsors.

- HB 219 was heard and held on May 1, 2024 with invited public testimony. ATLA’s Executive Director Mystie Rail has done an excellent job providing information to legislators.

Council tracking:

- HB 111/SB 143, Education for Deaf and Hearing Impaired
 - Update: HB 111 passed the House last week, was sent to the Senate, and assigned to Senate Education.
 - SB 143, the Senate companion bill, contains the same language as HB 111. Senate Bill 143 passed Senate Education and was referred to Senate Finance.
 - Work continues on the proposed language change amendments.
 - Senator Tobin’s office requested a copy of the sample bill distributed last year at the beginning of the 2023 session because she wants the bill to look more like the original bill. Now that HB 111 is in the Senate, Tobin wants to meet to discuss HB 111 and work on getting it pushed through before the end of the session.
 - Most of the questions around the proposed bill are based on the confusion of no fiscal note, and others relate to the structure of the Alaska State School for the Deaf and Hard of Hearing.
- SB 91, Telehealth: Multidisciplinary Care Team
 - Update: SB 91 has passed the Senate and was transmitted to the House. There was a hearing held on May 7, 2024 with public testimony and a hearing held on May 8, 2024 at 10:00 a.m.
 - Senate Bill 91 would allow out-of-state multidisciplinary care team members to provide telehealth services when an Alaskan needs to receive ongoing treatment or follow-up care for a suspected or diagnosed life-threatening condition for which the healthcare services provided by the multidisciplinary care team are not reasonably available in the state.
 - Senate Bill 91 amends the statute passed by House Bill 265 by adding “multidisciplinary care teams” as an option for telehealth. Senate Health and Social Services amended the legislation to include a definition for the types of healthcare providers that are eligible to provide services as part of a multidisciplinary care team. Senate Finance further amended the legislation to ensure that multidisciplinary care team members are coordinated by a physician and are licensed to practice their professions in another state.
- SB 240/HB 343, School District Medical Assistance
 - Update: The proposed legislation is running through the legislature quickly. It is one that the Council is participating in a commissioner’s office-led group on Medicaid in the schools, because this is a high priority of the Governor and the department to pass. The proposed bills remove the requirement of an IEP to get Medicaid services in the schools. It will open up mental health services and occupational therapy to more students.

Jamie Kokoszka noted that the above items are a list of bills that had action, not an extensive list of bills the Council is watching.

Other legislative activity:

- Environmental Modifications (E-Mod)
 - Update: The budget bill includes intent language on the House side that directs the department to look at upgrading the e-mod purchasing authority to \$40,000 per instance, not including the shipping cost.
- Participant-Directed Services
 - Update: There has been no movement related to participant-directed services in the legislature. However, the Trust awarded a grant that the Council helped write to the Kenai Peninsula Independent Living Center, allowing them to hire a consultant to develop a plan to implement self-directed services.
 - Representatives from the ILC went to an Applied Self-Directed Services Conference. They discovered that Alaska is the only state that does not offer participant-directed services.
 - It does not require legislative action. It is a policy/procedure action for the department.
- Budget Bills
 - Update: The House voted on its version of the capital budget, and the Senate is reviewing the House version of the operating budget. A joint Conference Committee has been formed to sort out the differences.
 - The House version of the capital budget supports home and community-based services with a \$15M increment for waiver services.

UPDATE ON FEDERAL ISSUES AND DISCUSSION:

NACDD Federal Updates

Patrick Reinhart reported receiving a letter from NACDD for sign-on supporting the budget appropriation request for DD Act entities. The Governor’s Council on Disabilities and Special Education doesn’t receive any benefit from the appropriation because Alaska is a minimum allotment state. The Council passed on supporting the appropriation.

Patrick Reinhart reported that the NACDD members were asked to sign on to an amicus brief related to alternatives to guardianship.

Patrick Reinhart reported that the new director of NACDD is Jill Jacobs, the former commissioner for Biden’s Administration on Disabilities. She is very keen and astute about the federal policy issues. The Council looks forward to working with her to fix the funding formula issues.

The NACDD Conference is scheduled for July 22 – 26, 2024. The Council submitted a request to sponsor Council Chair Jena Crafton, Council member Sabrina Richmond, Jena Crafton, and Executive Director Patrick Reinhart to attend the conference.

Disability Pride celebrations presently scheduled include the Kenai Peninsula's celebration on July 20, 2024, and Anchorage's celebration on July 27, 2024.

DATE AND TIME OF THE NEXT MEETING

The date and time of the next Legislative Committee meeting will be determined at the May Council meeting.

GOOD OF THE ORDER AND ADJOURNMENT

Corey Gilmore reported that the DD Collaborative is reforming to address the DD Vision implementation, which has stalled in the last six years since its passage. He encouraged members to contact AADD's Executive Director Kim Champney for more information.

Cheryl Blakney commented that with regard to e-mods, as a nurse who visits outlying areas of the state, she noted that there is very limited housing for those with assistive technology and a high need for home modifications to get wheelchairs in and out of homes in outlying areas. They are having a hard time finding contractors to do modifications. At this point, there is no way to bill for the costs of hiring a contractor willing to travel to do the work. Patrick Reinhart noted that it is not a legislative action, it is intent language in the budget bill, and the issues Cheryl noted are all factors and issues being discussed.

Jeanne Gerhardt-Cyrus **MOVED** to adjourn. Hearing no objection, the motion **PASSED**, and the meeting adjourned at 2:56 p.m.