



Texas State Independent Living Council



Meeting Minutes
Wyndham Garden Hotel
3401 South IH-35, Austin, Texas
Meeting Room: Lake Austin
Monday, January 27, 2014

Opening:

The quarterly meeting of the Texas State Independent Living Council (SILC) was called to order at 9:00 a.m. on January 27, 2014 by Saul Herrera, Chairman

Present:

Members in Attendance – Randell Resneder, Jim Brocato, Richard Couder, Anna Hundley, John Hobgood, and Saul Herrera; Laurie Pryor, DARS

Members Not in Attendance - Marc Gold, Calvin Turner, Karen Swearingen, Shannon Alexander, and Jim Batchelor

Others in Attendance - Regina Blye, Staff; Terri Richard, TDHCA; Christina Goebel, Staff; Seth Reed, Staff; Rebecca Coleman, Staff; Christine Martin, Staff; Kelle' Martin, Staff; Nour Hammoudeh, Staff; Sandra Breitengross-Bitter, Staff; Karen Latta, Texas Sunset Commission (guest speaker), and Anne Dunkelberg, Center for Public Policy Priorities (guest speaker).

Addressed:

APPROVAL OF AGENDA AND MINUTES:

- Motion to approve the Minutes from the October Quarterly SILC meeting by Hundley, Motion Seconded by Brocato.
- Motion to approve agenda by Brocato. Motion Seconded by Resneder.

OLD BUSINESS

• POLICAY AND PROCEDURE MANUAL

- Blye proposed changes to the Policy and Procedure Manual for approval. These changes included:
 - a logo change and an added section on page 2, listing all the council members and employees, as well as contact information;
 - on page 3, Blye added Ethical Principles and core values to the Mission and Operational Statements, including dignity, worth of the person, importance of human relationship, integrity, cultural competence, social diversity, and respect for race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political views, religion, immigration status, and mental or physical disability;

- on page 5, Blye added public access, as required of out TX Department of Transportation grants, including service animals and oxygen when traveling in public transportation;
- on page 7, Blye cleaned up the appendixes, and included policy regarding out of town travel, including #5 that states the maximum rate of reimbursement charged may not exceed the State of Texas rate for in-state travel and may not exceed the rate for out of state travel and Section 10 includes changes made to the reimbursement form, which include an advance component.
- Brocato asked a question for clarification on the rules of per diem reimbursement and the need for receipts. Blye clarified procedure.
- Blye remembered one more change to propose to the manual. With the new health care laws, the affordable healthcare care act require the probationary period to get on health insurance be 60 days instead of 90. Blye is asking that in addition to this, new employees have a 5 month probationary period (not including health insurance) to have more time to work with and train new employees around quarterly reports.
- Brocato made a motion to recommend making the changes to the policies and procedure manual. Couder made a second motion.

- **MEETING DATES AND LOCATIONS**

- The next meeting is scheduled for March 30, 2014 in Corpus Christi, prior to the annual conference from 9-12. This will be the quarterly meeting and the joint meeting with the CIL's.
- The Fourth quarterly meeting is scheduled for July 17-18 in Amarillo. The Council and Staff will be staying at the Homewood Suites and the meeting is going to take place at the Panhandle Independent Living Center (PILC). Blye also stated that the SILC is looking into having a public hearing during the Amarillo meeting and some possible other extra activities scheduled for that meeting since Council and Staff will all be in town.

- **ACTION ITEMS**

- Coleman, Turner, and Swearingen were not able to complete the task of going to the bank to be put on bank account due to Swearingen not being able to attend. Blye stated that a day trip to Dallas may need to be arranged due to the lack of Chase banks in the Corpus Christi area.
- New Dental and Vision Insurance plans start February 1, 2014.
- Resneder reminded the Council that Disability Awareness Week is the week of April 15th.

NEW BUSINESS

- **NEW WEBSITE**

- Martin walked the Council through the new website and its features.

- Martin demonstrated SILC's link to Amazon Smile and the ease of connecting to other national organizations that the SILC is connected with.
- Martin explained the community calendar and how it displays events throughout Texas and encouraged the Council to browse the site as much as possible.
- Martin also explained that important Council documents will be available to download from the website, including most up to date reports, manuals, agendas, and minutes.
- Richard asked if the website was available in Spanish. Martin stated she was uncertain, but understands that You Tube does provide some translation programs and that she would look into it.
- Brocato asked if it is possible to modify the size and color of the font on the website. Martin stated that it is. Just have hold down the control key and hit the plus sign. Brocato asked if would be possible to post that on the site for people who may not know about that feature? The Council discussed different options for language and vision services. Martin expressed appreciation for the suggestions.

- **NEW VIDEO**

- Attempted to view the video, however due to lack of audio, it was not possible.

- **QUARTERLY REPORTS**

- Blye introduced to the Council that each member provides a quarterly report on what he or she is doing in their home community. Historically the council has heard reports from the State Agency Representatives, the Liaisons, and the Ex-Efficios. But, the Council has not gotten the benefit of hearing from the rest of the members and the great things that are happening throughout the state. Blye proposed that the quarterly reports start at the July Quarterly Meeting, since the March meeting is going to be a short meeting. Hundley, Hobgood, and Resneder all expressed approval.

BREAK

A 'TEXAS SOLUTION' FOR THE AFFORDABLE CARE ACT

Presented by Anne Dunkelberg, Associate Director, Center for Public Policy Priorities

- The center has been working in Texas since 1985 on access to health care and since about 1990 has included issues like employment, training, access to training, and helping people work their way up the economic ladder.
- Texas continues to have the highest percentage of residents who are uninsured in 2012.
- Kids have Medicaid and CHIP, but working age adults ages 19-64 do not have access to health care.
- If a person is under 4 x's the poverty level, he/she may qualify for some kind of help with his/her premium in the new marketplace, therefore out of the 6.4 million uninsured, 89% have incomes below this level.
- It is difficult to predict how much the Affordable Care Act will insure due to not knowing how many people will actually volunteer to sign up for the insurance. But with just moderate enrollment, the number of uninsured should drop in half.

- Some major changes have occurred with this act including: no can be turned down for coverage, can't be charged more based on their health status or history, no pre-existing condition waiting periods or exclusions anymore either.
- Resneder asked if Texas would be providing more Medicaid coverage statewide if block grants had been approved. Dunkelberg answered stating block grants are more for political reasons than for policy.
- Anybody who is a US Citizen or legal resident can get sliding scale help in the marketplace if your income is below poverty, and 4 times the poverty line and not already eligible for some other minimum coverage option (i.e. work).
- There is a choice of paying upfront premiums vs. how much you pay at the point of service. The Platinum plan costs more upfront and costs less at the doctor's office. The Bronze plan costs less upfront, but will cost more at the doctor's office. There is also the Catastrophic plan for people under age 30, which has a higher deductible and lower premium presumably than the Bronze plan.
- Some people will choose to not sign up for insurance. If that choice is made, and it is not based on inability to pay, there will be a penalty that amounts to roughly 1 ½ months of premiums.
- Texas Medicaid is mostly children in numbers. 42% of Texas kids are on Medicaid or CHIP.
- Hobgood asked when the new enrollment period starts after March 31st. Dunkelberg stated the next open enrollment period for January 2015 coverage will be in October 2014.
- Resneder asked about coverage for Chemo Therapy Treatments. Dunkelberg stating no can be turned down. It is just a question of what your income is and what your current coverage. And, if your coverage changes, it is an exception to do open enrollment.
- Goebel asked if people sometimes choose not to take a job in order to stay below the poverty level in order to avoid the penalty or pay the premiums each month. Dunkelberg stated that would only work until that person needed help. Then, the medical expenses would exceed any possible benefits. The costs out of pocket for someone just above the poverty line is so low, it is very affordable.
- Goebel asked if there are resources to help individuals transition from being a Medicaid recipient to employment and seeking insurance through the marketplace. Dunkelberg stated she was not aware of any, but would look into and get in touch with Goebel in the future.

SUNSET COMMISSION PROCESS AND OVERVIEW

Presented by Karen Latta, Senior Manager for the Sunset Commission

- Sunset Commission was created in 1977 to oversee state agencies and was needed to make a change to state government.
- There are 12 members on the Sunset Commission, including 5 Representatives, 5 Senators, and 2 public members and they are appointed by the Lieutenant Governor and a Speaker.

- There are 32 staff people who do the actual reviews and report to the Commission. They are independent, nonpartisan, and objective in the review processes.
- There are about 130 state agencies subject to the sunset process and it is usually about 12 years between each review.
- The review consists of questions like: how efficiently and effectively does the agency operate; is the agency meeting goals and objectives; can the operations be less burdensome and still protecting the public; does the agency encourage and use public participation?
- Then, the staff issue a report on each of the agencies that are under review making a recommendation whether to continue an agency or not, and making recommendations about how to improve the agency. Next, the Commission holds hearings and public input is gathered and recommendations are drafted into legislation to go through the legislative process.
- The first step in the sunset process is for the agencies to develop and submit their self-evaluation reports, which are posted on the website.
- Then, the staff spends time gathering information from the agencies and those who interact with the agencies and the general public.
- Pryor asked when the report will be released. Latta stated the report will be available in May 2014 and the public hearing will be in July 2014.
- Blye asked if they decide to close an agency, does the Commission look at the services being provided and consider moving them to another agency. Latta stated that the Commission evaluates the necessity of the agency and the services and if the services are needed but would be better provided elsewhere, that would be the recommendation.
- Couder asked how much does the original House Bill 22.92 play into the Commission's review. Latta stated that since 10 years have past since that bill, agencies need to be re-evaluated and large policy decisions reconsidered.
- Goebel asked if it is more common for the Commission to merge and shut down an agency. Latta stated that is true for the most part.

LUNCH ON YOUR OWN

WEATHER CONCERNS

- Herrera suggests getting started despite not everyone being back from lunch due to concerns about the weather. He also expressed concern about the meeting tomorrow and asked Blye what the plan will be if the weather gets hazardous.
- Blye stated that those who are staying at the hotel can continue with the meeting tomorrow and those who would have to travel in the inclement weather will have to miss the meeting.
- Copies of the reports have been included in the minutes.

STATE PLAN FOR INDEPENDENT LIVING

- **REPORT ON FY13 SPIL ACTIVITIES**
- **RECEIVE FINAL FY11-13 SPIL ACTIVITIES REPORT**

- See attachments/handouts for more details. Reports showed CIL's did not meet all of their goals for this SPIL. One was regarding Relocation Services. The Council had a discussion regarding this issue, particularly with Hobgood, Brocato, Richard, Breitengross-Bitter, and Resneder. All were interested in how to spread the word in relocation services via public hearings and other forms of information distribution such as the annual conference.
- **RECEIVE FY14 1ST QUARTER SPIL ACTIVIES REPORT**
 - All the activities are on schedule and 12 have already been achieved.
 - Blye asked Breitengross-Bitter to explain why there is a low percentage of response of the surveys. There has been some confusion from the centers for the timing and it is possible that they may not see the importance of tracking on a quarterly basis.
 - Resneder suggested a newsletter article to feature a program that provides online courses for people with disabilities. Breitengross-Bitter and Goebel agreed to work with Resneder.
 - Pryor discussed goal 3.1: giving assistance to IL community to help those with large caseloads by hiring contractors to provide assistance in seeing consumers.
 - Breitengross-Bitter stated target for 3.2 focused on deaf and HH community.
 - Another target is to do outreach in the youth community.
- **DISCUSS DESIGNATION OF CIL EXPANSION AREAS**
 - Pryor expressed that most of the existing CILs can't afford to expand services to the stray counties.
 - Blye stated that with Texas having so many counties, it is a challenge to serve them all. SILC needs to gather information about the counties to know what the needs are and what services can be provided, for example, public hearings.
- **CHOOSE LOCATION OF UNSERVED AREA PUBLIC HEARING**
 - Breitengross-Bitter stated that a public hearing needs to be scheduled.
 - One in a served area (PILC) and on in an unserved county.
 - Brocato asked about the possible feedback as to why centers were funded or not. Breitengross-Bitter said once the money was no longer available discussions was stopped. Blye stated the outcome may have been more favorable if the information reported had been more consistent and accurate.
 - Pryor explored some unserved counties in an effort to figure out who has the greatest needs and how they could be met, eventually concluding that putting Johnson, Parker, and Hood Counties together may work because they are similar in population.
 - Public Hearing location and official name was discussed.
- **PROVIDE GOAL 4 UPDATE**
 - Hearings, Advocacy, and Educational Opportunities with Legislature
 - Need to develop investment calculations and justification data for CIL services
 - Contract with Greenlights to facilitate meeting and information from the CIL's.

PUBLIC COMMENT/ANNOUNCEMENTS

- There was no one present to make any public comments or announcements

BREAK

ELECTIONS

- **SYSTEMS ADVOCACY CHAIR**

- Alexander's term is ending. Herrera asked if there were any nominations. Blye stated if there are none, the chair can just appoint someone. Herrera motioned to table the elections at this time. Brocato second.

- **MEMBER SELECTS SUBCOMMITTEES**

- **OTHER**

- Richard suggested a "list serve" that is sent out once a month with funding opportunities. Richard stated there are different opportunities of public input and it will be sent out every month.

EXECUTIVE DIRECTORS REPORT

- **SUMMARY OF DIRECTOR'S ACTIVITIES**

- Blye announced a new employee, Nour Hammoudeh. She is working part time doing conference planning and will also be working on the transportation grant.
- At the SILC Congress in San Diego, Blye stepped down as Chair, Breitengross-Bitter and Brocato are now Representatives of Region 6.
- Blye stated there may be a conflict with the next quarterly meeting in July due to her class schedule since she was accepted into UT Master Program. She will keep the Council updated as information becomes available.
- Blye reported attending the TBIAC retreat. Stated it was a learning experience because people with TBI often don't see themselves as having a disability and struggle with getting services because they don't think of themselves as disabled. Blye expressed thinking it would be good to corroborate with the CILs and the TBIAC.
- Annual Independent Audit is now available. The results were "clean" but recommending has more separation of duties, which is now in place with Coleman, reed, and Blye. DARS monitoring visits results beefed up our forms to catch small details that were missing. Brocato asked if an independent audit was required by DARS. Blye stated yes.
- Rider 30 report due February 1st. Blye stated it is ok, but there are some substantial changes that need to be made. Blye wants SILC to look at it once it is finished.
- Working with DARS, have not received all the money for the SPIL activities.
- Hobgood offering CPR training Wednesday and Thursday this week at the SILC
- Potential new funding for the FY in the IL Program/Community – 22.9 million dollars nationwide in Part B. And Part C is 73 million for CILs. Chapter 2 IL services for blind individuals.
- Brocato state at SILC Congress they stated the centers will receive a 3% increase in funding in October. This will make up for cuts in funding since 2008.

FINANCIAL REPORT BY SETH REED

- Reed stated the budget has an overage of \$3000.00
- Conference expenditures expected to go up due to more accurate accounting of DARS funds.
- FY14 income statement – 1st quarter – no unrestricted funds listed, but that is expected to change by next meeting due to payments for the conference.

- Working on an advance schedule instead of relying on reimbursement. DARS takes a week. TCDD takes 2 weeks. TXDOT takes 3 weeks for reimbursement.
- Reed plans to change the income statement recording to income from various funding sources.
- Brocato asked about FY13 report – HF grant purchase services, what purchase does that include? Reed stated it is money to the 3 CILs, Martin’s meetings, and travel/hotel. Blye stated the bulk of the money the SILC has goes the CILS. And under “other contracts” should be broken down and itemized. “Unrestricted expenses” were explained more as well.

CONFERENCE UPDATE

- Herrera requested a conference subcommittee meeting be held after the quarterly meeting with Goebel. All agreed.
- Goebel stated conference provides opportunities for individuals to make connections and agencies to network, and for the SILC to interact with consumers more.
- So far, 100 registrations have been completed and 48 stipends have been given.
- 20 or 31 booths of exhibitors are booked.
- The whole 3rd floor is booked for the conference.
- Brocato asked if there could be a special rate for CILs to have booths/tables. Possible break it up per day. He stated that this would encourage other CILs to have their own table. Blye stated in the past the CILs have used the TACIL booth to display their things. Goebel agreed to work something out.
- Sponsors expected to be \$35,000. Higher than last year.
- Meals are included because it is difficult for this number of people with disabilities to have accessible transportation.
- Sessions and speakers are on the website to review. Pryor made a list of people/companies that may be interested in having a booth at the conference.
- Assignments: for smoother flow – for the subcommittee to determine.

Meeting Adjourned

Minutes drafted by: Rebecca Coleman

Signed by: X

Saul Herrera, Chair

Date:

Next meeting March 30, 2014