

PUBLIC POLICY COMMITTEE October 23, 2008

IDAHO COUNCIL ON DEVELOPMENTAL DISABILITIES

PUBLIC POLICY COMMITTEE MEETING MINUTES

Thursday, October 23, 2008

10:45 a.m. – 12:00 p.m.

Committee Members: James Steed (Chair),
Jim Baugh, Shiloh Blackburn, Julie Fodor, Leslie Clement,
Bob Jackson, Corinne Johnson, Joni Sullivan

COUNCIL ON DEVELOPMENTAL DISABILITIES Public Policy Committee Meeting October 23, 2008 Time: 10:45am to 12:10pm	
Call to Order – Opening Statements	James Steed welcomed new members to the committee.
Roll Call	Members Present: James Steed, Shiloh Blackburn, Corinne Johnson, Jim Baugh, Bob Jackson, Jo Lynn Garrison, Joni Sullivan, Julie Fodor. Guests: Ike Gayfield – Medicaid, Rebecca McLenna, BSU student Staff: Tracy Warren, Christine Pisani Members and guests introduced themselves.
Perfection of Agenda/ Announcements	Tracy noted that committee members listed on agenda were incorrect and will be corrected.
Approval of September 26, 2008 Minutes Action ⇒	Julie Fodor moved for unanimous Consent to accept minutes for September 26, 2008. Bob Jackson seconded the motion. There were no objections, the minutes were approved.
<u>2009 Legislative Slate</u> Health Care Decisions	Jim Baugh reported about the recent meeting with the health care decisions stakeholder group. The hospital association and medical representatives would like to change the Developmental Disabilities Act to be similar to the “Baby Doe” provisions discussed at the September Public Policy Cmte meeting. There is still a problem with the definition of “futile” treatment. The group discussed

<p>Action ⇨</p>	<p>developing a decision-making process that would include a hospital ethics committee. Ethics statute would only apply to facilities that had an ethics committee. Many hospital facilities in Idaho do not have an ethics committee but it might be possible to use a regional medical center committee. Jim said that advocates hope that an ethics committee would have representation from someone who has a disability rights point of view. Kim Stanger said that a patient is able to invite a disability advocate with them to medical appointments etc. if they choose to.</p> <p>Kim Stanger and Jim Baugh plan to meet and try to come up with an Idaho approach to the Texas system. Jim said that he wasn't sure the stakeholder group was getting closer to a decision or agreement.</p> <p>Committee discussed medical care decisions like 'do not resuscitate' orders, etc. Jim stated that the stakeholder group is at a place where the advocates are pushing the edge of what they can live with and the other side is doing the same. The Council would need to decide if they want to continue to negotiate for agreement on this issue.</p> <p>Discussion of what would be a "deal breaker" for the Council. At what point do we withdraw support for the proposed legislation for lack of agreement on key issues such as representation on ethics committees, process for "futile" treatment decisions, etc.</p> <p>Bob Jackson moved that the Council continue to monitor Title 66 and futile treatment statute 39-4514. Joni Sullivan seconded the nomination. There were no objections.</p>
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<p>Medical Consent 39-4514</p>	<p>Jim Baugh reported that the group is getting close to agreement and good progress is being made on this part of the issue.</p>
<p>Community-based services provider reimbursement rates</p>	<p>Tracy reported that the Consortium for Idahoans with disabilities (CID) stakeholder group has been working on this issue and fact sheets are being developed. Ike Gayfield mentioned that the rates being considered are not just for Home and Community Based Services (HCBS). A better term to use would be “community-based services provider reimbursement rates.” These are services that are provided by developmental disability agencies.</p>
<p>Capital for A Day - Sugar City</p>	<p>The rates would not be increased across the board at the same percentage, but would be more specific to service and how far below average the reimbursement rate is currently.</p> <p>Talking points have been drafted for people to discuss with their legislators before the January session starts.</p>
<p>Accessible Parking</p>	<p>Tracy shared information about the “Capitol for a Day” scheduled in Sugar City. Members from that area may want to take the talking points about community-based services to discuss with the Governor and staff.</p>
<p>Vocational Rehabilitation Rules</p>	<p>Tracy reported that the State Independent Living Council plans to run the accessible parking legislation even though a fiscal impact of \$500,000 for the first year has been determined by the state. The group has been working with Representative Crane, who is concerned about carrying the legislation because of the cost.</p>
	<p>Ron Enright reviewed the VR rules posted in the legislative bulletin noted that there was a provision of concern. Proposed language</p>

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<p>Follow-up ⇨</p> <p>ISSH Name Change</p>	<p>would remove any description of client appeal rights and instead says to refer to the VR Field Services Manual. Language states that the manual would be incorporated into rule by reference. The problem is that the field services manual can be changed at any time without a formal process for public input and client rights to appeal VR decisions will have been removed from state rule.</p> <p>The committee would like more information about the issue to be able to take a position and decide on action.</p> <p>Tracy will send information to the committee about the VR rules.</p> <p>Legislation to change the name of Idaho State School and Hospital will be watched. Jim reported that the bill includes a definition for interim secure mental health facility which is new to the state. Ike said that admission discharge criteria could be included as well.</p> <p>Committee discussed how we follow legislation to make sure we understand the content. Things might be added at the last minute. Sometimes the early draft changes quite a bit before the final legislation is presented in a legislative committee hearing.</p>
<p>Public Policy Cmte Member contact during session</p>	<p>James reminded committee members to check their email daily, or more than once per day, in case staff needs committee approval for action in the legislature that happens minute by minute. Please make sure you respond back when input is requested.</p>
<p><u>New Issues</u> <u>Updates on Issues</u></p>	<p>Bob Jackson mentioned that there may be policy recommendations related to the Inclusion Study just completed by the CDHD for the Council. Specifically around teacher preparation and need for college curriculum change.</p>

