



# State of Connecticut Council on Developmental Services

# DDS

## Minutes of the April 22, 2021 Meeting

**Location:** Meeting Held Virtually via Microsoft Teams

**In attendance:** Arlene Reith, Adrienne Benjamin, Christine Hainsworth-Strauss, Deb Ullman, Diana Mennone, Karen Hlavac, Kevin Zingler, Patti Silva, Rick Rothstein; Rick Lenz, Pam DonAroma; Rick Lenz

**Absent:** Joe Duffy; Dawn DeMatteo; Lisa Weisinger-Roland

**DDS Staff:** Commissioner Jordan Scheff; and Kevin Bronson, Director of Legislation, Regulations, and Communications; Amber Burke, Carvalho, Executive Secretary

## Introductions

Kevin Zingler, Chair, called the meeting to order at 2:02 PM

## Moment of Silence

**Happy Earth Day! – Do one thing today (and every day) for our planet!**

## Public Participation

Cindy Stramandinoli – has been involved with DDS since 1994, has a son with a disability, was a part of the DS Council at one time, now on the South RAC. Would like the Council to establish a regional council for DDS Public Division and families receiving public services. President of a parent group. Would like to thank the DDS staff. As parents, we are very grateful for the work DDS has done to keep folks safe.

## Topics for discussion

• **Presentation & Discussion on Pending Federal Legislation & Impact on Employment Services with Dan Berland, Director of Federal Policy, The National Association of State Directors of Developmental Disabilities Services (NASDDDS) & Amber Burke, Director of Employment & Day Services, State of Connecticut, Department of Developmental Services (DDS) – 50 minutes**

- o Commissioner introduced Amber Burke as an instrumental factor in creating a statewide framework and voice regarding employment. Supported Employment Leadership Network has done an assessment that has developed concrete actions that can be taken by DDS.

- o Commissioner introduced Dan Berland, Policy at NASDDDS, and thanked him for taking time to join us here, for the creative work that is being done at NASDDDS, and for bringing a national perspective to this conversation.

- o Amber Burke opened up the conversation by describing the creation of a roadmap on how to proceed after the pandemic ends. DDS has issued guidance to employment and day providers and to utilize what we learned in the pandemic to build on our service delivery to leverage technology in new ways as we transition to a post-COVID world. Services and waivers mirror what's happening in the real world and that we're providing services and programs that enable folks to achieve their dreams in a person-centered manner. How do we modernize, how do we have candid conversations on what employment looks like, and address barriers like transportation - a recurring topic on Amber's work on the Governor's Workforce Council.

- o Kevin thanked Amber for her remarks and turned it over to Dan Berland

- o Dan opened by describing the exciting time we are living in as it pertains to Disability public policy and changes in service delivery. Not only a lot of discussion about this but a lot of resources are being re-examined.

FMAP reimbursement has a 10% boost, approx. 12 billion dollars into the system, then President Biden asked congress to put another 400 billion into the system. The overhaul of Medicaid in 2017 was reduced by billions of

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dollars - most dissents to those cuts came from the disability community. All this advocacy helps lawmakers understand the importance of HCBS in people's lives. President Biden also swore to end 14C. Another interesting piece about the Biden administration is that they are more interested than the previous administration in bringing in stakeholders and policy experts. There's a split senate - but the President and his party in Congress can set the calendar. The American Jobs Plan will also be passed through reconciliation which requires a simple majority and is more likely to pass. Before this admin, the raise the wage act has been a marquee piece of legislation that would eliminate subminimum wage. Per Senate parliamentary interpretation Raise the wage can't be put in legislation passed by reconciliation. President Biden has asked congress, in addition to the 400 billion to community-based services, he has asked for 100 billion to help facilitate the elimination of 14C. If they are successful in putting this in the American Jobs Plan, it will be passed by the end of the year. NASDDDS is relieved to see the money dedicated to assisting providers transition away from 14C. This is an accelerated timeline, and there's a lot we don't know yet, but there's a possibility for big changes in this next year. CCIIA Competitive and integrated employment act has legs because of the composition of the committees this legislation is coming from. This would lead to grants that can be applied for by states, and if states don't apply, the providers can apply for this to help redesign wrap-around services to help integrate employment into their lives. HCBS access act, which has a high fiscal note, is further away from passage, but that is good because stakeholders will have time to ensure its impact is made as intended.

o Kevin thanked Dan for his remarks and noted how exciting it is to see what might be coming down from the federal level.

o Christine - when folks earn more money, are they going to adjust the asset limitations? ▪ Dan - a good question, NASDDDS agrees people shouldn't have to impoverish themselves to receive services.

o Adrienne – some folks would not be hired competitively, what impact would this have? ▪ Kevin - we've started looking at how to get group-supported employment of contract work, and you're right, it won't be a fit for everyone. Want to ensure that there are day services, but also how to best integrate some work and to earn a paycheck. How do we make this meaningful?

▪ Pam - there's going to have to be a range of options for people. There are some folks with family members who have challenging circumstances that make competitive employment rather difficult. We need to find creative solutions that can meet the different needs of different people. We have only created jobs with competitive employment, which has limitations. Having wrap-around services would expand the possibilities - creativity is what we need to meet the needs of people.

▪ Commissioner - other ideas - can we incentivize employers to make this work? Right now, it's hard to fathom paying folks with a disability 15 an hour when their staff is making 14.75. One thing that is beneficial from our relationship with NASDDDS, is being partied to interesting conversations that are happening around the nation - and incorporating best practices from around the country. Arizona doesn't have a subminimum wage - how does that work, Dan?

▪ Dan - might be 12 states that have eliminated 14C. almost every state is trying to expand its supportive and integrated employment and decrease its reliance on 14C. Mississippi has learned they were asking the wrong question of "can this person work in an integrated and competitive employment?" and adjusted to "how can we support this person in an integrated and competitive employment environment?"

▪ Commissioner - without carrot and sticks, it's rather difficult to make changes.

▪ Rick Lenz - any arrangements of group-supported employment coming back post-pandemic? If not, why not?

▪ Amber - it's a difficult question - DDS didn't shut down employment, but providers and employers might have due to the pandemic. Some folks are looking at innovative ways on having them come back. The fiscally fragile place where many employers find themselves, makes it difficult to resume business as usual.

▪ Commissioner - there is trepidation at the provider, family, and business level regarding resuming business as usual. The only thing DDS has required is social distancing and basic mask mandates. On May 19th, many COVID restrictions will be lifted (except masks). The hope is that by summer, we trend downward in COVID cases and programs begin to resume.

## **Review and Approval of the February Minutes – 5 Minutes**

o Karen asked for a correction in the spelling of Down Syndrome

o Rick Lenz noted he was absent from the meeting and that he was listed as having made a motion.

- o Rick Lenz moved, and Karen seconded, passed with one abstention
  - o Karen would like it to be noted, that if the March minutes cannot be retrieved, that they are replaced with the testimony written by the council. ▪ Karen moved, Rick Lenz seconded, passed unanimously.

**Commissioner’s Report – 20 Minutes**

- o Knock on wood, but it seems we are nearing better days.
- o Katie Rock-Burns, DDS Chief of Staff, was instrumental in establishing these vaccination clinics. Throughout the vaccination process, we have been troubleshooting different concerns from different families to ensure that there were a few hurdles for families as possible. One example is that one individual wouldn’t be able to tolerate 2 injections, and we located a vaccination site that was distributing the J&J vaccine, and they were relieved. ▪ Deb - her son who received his vaccination in his former DSO room, didn’t want to leave after being vaccinated.
- o To Rick’s point earlier, we are working hard to resume day programs, but the workforce challenges are real - we have a meeting next week with the office of workforce strategy, providers, dept. of labor, and other stakeholders to identify possible solutions to this issue.
- o The budget process is still underway, the governor’s proposed budget has been countered by the legislature, and there are some differences to be hammered out.
- o Pam - emphasized workforce and staffing concerns are given several disincentives to working. Noted that Max’s restaurant is incentivizing 1000 hiring.
- o Commissioner - ARPA there is no HHS Secretary, everybody has heard that money is coming, but we are trying to identify strategies to spend these funds.
- o Christine - is there going to be something to allow employers to feel more comfortable post-pandemic? ▪ Commissioner- the Governor has made clear that there will not be blanket protection for liability, however, there will be guidance from DPH to indicate what is and isn’t allowed.

**Introduction of Kevin Bronson, incoming Director of Communications, Legislation, and Regulations at DDS – 10 Minutes**

**2021 Legislative Awards Presentation Date – 5 Minutes**

- o Discussed when and how to present these awards
  - Governor, Sec. of OPM, Hartford Healthcare, Griffin, Yale, and a Self-Advocate Coordinator - how to recognize these? Kevin and Joe to work on availability

**Topics for Next Meeting**

- o Cindy’s recommendation in public participation
  - Commissioner noted that there might be a possible solution in creating a statewide RAC for public division. Commissioner to communicate with
  - Karen - thinks this
- o Pam - update on labor/workforce crisis

• Rick R moved to adjourn, seconded by Pam. Meeting adjourned at 3:57.