



# NOTICE/AGENDA

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<b>PARTICIPANT CODE:</b>	<b>861-0332</b>

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES  
LEGISLATIVE AND PUBLIC POLICY COMMITTEE MEETING  
POSTED AT: [www.scdd.ca.gov](http://www.scdd.ca.gov)**

**DATE:** April 18, 2018

**TIME:** 10:00 AM – 4:00 PM

**MEETING LOCATION:**  
SCDD HQ OFFICE  
1507 21<sup>st</sup> Street, Suite 210  
Sacramento, CA 95811

**TELECONFERENCE LOCATION(S):**  
See Last Page

**COMMITTEE CHAIR:** Janelle Lewis

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**Item 1. CALL TO ORDER**

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**Item 2. ESTABLISH QUORUM**

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**Item 3. WELCOME AND INTRODUCTIONS**

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**Item 4. PUBLIC COMMENTS**

*This item is for members of the public only to provide comments and/or present information to the Committee on matters not on the agenda. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first.*

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**Item 5. APPROVAL OF MARCH 2018 MINUTES** 

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**Item 6. FEDERAL LEGISLATIVE AND REGULATORY UPDATES**

Page 8

*Cindy Smith, SCDD*

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**Item 7. LEGISLATIVE STRATEGY AND PLANNING FOR REMAINDER OF 2018 **

Page 12

*All*

- a. Select Committee on Intellectual & Developmental Disabilities
  - b. Overall Strategy
- 

**Item 8. STATE LEGISLATIVE UPDATE **

Page 15

*Cindy Smith, SCDD*

*Consideration of new or additional action related to Council positions on bills listed below. Hyperlinks provided below so you can view the current bill and status. Additionally, an updated chart showing status of the bill and bill text will be posted on SCDD's website on April 13<sup>th</sup>.*

**a. Sponsored Legislation**[AB 2171](#) and [SB 1274](#)**b. Supported/\*Opposed Legislation**

<b><u>Goal 4 A.</u></b>	<b><u>Goal 5</u></b>	<b><u>Goal 6</u></b>
<a href="#"><u>AB 2331</u></a>	<a href="#"><u>AB 2291</u></a>	<a href="#"><u>AB 1909</u></a>
<a href="#"><u>AB 2430</u></a>	<a href="#"><u>AB 2657</u></a>	<a href="#"><u>AB 2244</u></a>
		<a href="#"><u>AB 2587</u></a>
		<a href="#"><u>AB 2623</u></a>
		<a href="#"><u>AB 3200</u></a>

\*[AB 3158](#) (oppose)**c. Watch/*Other* Legislation**

<b><u>Goal 2</u></b>	<b><u>Goal 4 A.</u></b>	<b><u>Goal 4B.</u></b>	<b><u>Goal 5</u></b>	<b><u>Goal 6</u></b>
<a href="#"><u>AB 2840</u></a>	<a href="#"><u>AB 2287</u></a>	<a href="#"><u>SB 1320</u></a>	<a href="#"><u>AB 2408</u></a>	<a href="#"><u>AB 2522</u></a>
<a href="#"><u>AB 3074</u></a>	<a href="#"><u>AB 2846</u></a>	<a href="#"><u>AB 1934</u></a>	<a href="#"><u>AB 2776</u></a>	<a href="#"><u>SB 1376</u></a>
<a href="#"><u>AB 3127</u></a>	<a href="#"><u>SB 1011</u></a>	<a href="#"><u>AB 2159</u></a>	<a href="#"><u>AB 3136</u></a>	<a href="#"><u><b>AB 3002</b></u></a>
<a href="#"><u><b>AB 2253</b></u></a>	<a href="#"><u>SB 1190</u></a>	<a href="#"><u>AB 2324</u></a>	<a href="#"><u>SB 1224</u></a>	
	<a href="#"><u><b>SB 1191</b></u></a>	<a href="#"><u><b>AB 3006</b></u></a>	<a href="#"><u>SB 1385</u></a>	
		<a href="#"><u><b>AB 1985</b></u></a>	<a href="#"><u><b>SB 354</b></u></a>	
			<a href="#"><u><b>AB 2704</b></u></a>	

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**Item 9. UPDATES AND STANDING AGENDA ITEMS**

- a. Self-Determination Waiver Update – *All*
  - b. CalABLE Update – *All*
  - c. DDS Safety Net – *All*
  - d. Funding from DC Properties - *All*
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**Item 10. MEMBER UPDATES**

*All*

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**Item 11. 2018 FUTURE MEETING DATES AND POTENTIAL AGENDA ITEMS**

- June 11<sup>th</sup> – Governors Budget, Discussion on Training
  - August 13<sup>th</sup> – Mental Health Presentation and Beginning the 2019 Priorities Discussion
  - October 22<sup>nd</sup> – 2019 Priorities Discussion
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**Item 12. ADJOURNMENT**

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***Accessibility:***

Pursuant to Government Code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact (916) 322-8481. Requests must be received by 5 business days prior to the meeting.

***Materials:***

Meeting documents and presentations for an agenda item must be submitted to SCDD no later than 2 business days prior to the meeting.

**TELECONFERENCE LOCATION(S):**

Tri Counties Regional Center  
Hueneme room  
2401 E. Gonzales Rd., Suite 100  
Oxnard, CA. 93036

Central Coast Regional Office  
2580 North First Street, Suite 240  
San Jose, CA 95131



**DRAFT**

**Legislative and Public Policy Committee  
Meeting Minutes  
March 5, 2018**

**Attending Members**

April Lopez (FA)  
David Forderer (SA)  
Janelle Lewis (FA)  
Lisa Davidson (FA)  
Sandra Aldana (SA)

**Members Absent**

Connie Lapin (FA)

**Others Attending**

Aaron Carruthers  
Cindy Smith  
Evelyn Abouhassan  
Karen Mulvany  
Robin Maitino  
Sheraden Nicholau  
Wayne Glusker

**1. CALL TO ORDER**

Chairperson Janelle Lewis (FA) called the meeting to order at 10:40 AM.

**2. ESTABLISH QUORUM**

A quorum was established.

**3. WELCOME/INTRODUCTIONS**

Members and others introduced themselves as indicated.

**4. PUBLIC COMMENTS**

Public member Karen Mulvany provided comment, stating that she believes the hyperlink to submit public comments to on the SCDD website is dead and requested that SCDD consider providing an email address instead. Ms. Mulvany further stated that she has made requests in the past to receive meeting notices yet has still not received them. Committee Chair Lewis and staff agreed to look into the concerns raised. Other comments from Ms. Mulvany included requesting guidance on how to start a conversation with DDS on changing regulations for supported living services in accessory dwelling units and announcing that Alta California Regional Center has moved from median rates to hourly rates.

5. **APPROVAL OF THE NOVEMBER 2017 MEETING MINUTES**

It was moved/seconded (Forderer [SA]/Davidson [FA]) and carried to adopt the November 6, 2017 meeting minutes as amended. (For: Lewis, Davidson; Forderer; Aldana. Abstain: Lopez)

Amendment 1

Page 1 under other attending, correct the spelling of Karen Mulvany's name.

Amendment 2

Page 2, under item 6a., add a sentence explaining what the Governor's intention was behind his statement on AB 973.

Amendment 3

Page 2, under item 6. (b.) (ii.), change the word "Media-Cal" to read "Medi-Cal."

6. **FEDERAL LEGISLATIVE AND REGULATORY UPDATES**

Executive Director Aaron Carruthers and Deputy Director Cindy Smith provided brief updates on federal legislative and regulatory issues.

Deputy Director Smith reported that the government is currently operating under Continued Resolution 4, which is due to end on March 23, 2018. Deputy Director Smith defined a Continued Resolution to mean: "to continue to fund at level funding." She further stated that when the President releases a budget it is used as a blueprint; congress ultimately decides on how to allocate the funds. Executive Director Carruthers expanded on the differences between the State and Federal budget process.

Deputy Director Smith and Evelyn Abouhassan from DRC provided an update on the status of HR 620, the Committee requested that DRC be invited to a future meeting in order to provide a more in-depth update and overview of the intent of HR 620. An update was also provided on a bill known as "Barney Frank bill" that may reappear in the House of Representatives. A hearing was held prior to introduction. It would limit the authority of DRC and other Protection and Advocacy agencies from pursuing class action lawsuits related to Developmental Centers.

7. **LPPC PROCEDURE FOR DETERMINING STATE LEGISLATIVE STRATEGY**

Deputy Director Smith presented the Legislative Strategy detail sheet to the Committee. The detail sheet, which can be found on pages 11-13 of the

packet, outlined a proposed method to prioritize this year's sponsored and introduced legislation.

Deputy Director Smith stated that Committee members, as well as Council members, could still submit additional legislation they wish to be discussed at the April LPPC meeting to her no later than March 12<sup>th</sup> to be sure it is placed on the agenda.

Executive Director Carruthers and Deputy Director Smith also explained the State's legislative process and how, through the exposure the Council has worked hard to achieve, legislators at the Capitol know who SCDD is and are beginning to reach out which leads to determining a new legislative strategy for 2018 that responds to these changes.

## 8. STATE LEGISLATIVE UPDATE

Committee members vetted through each of the 31 legislative bills contained within their packet. Out of the 31, the Committee recommended supporting 9 bills, opposing 1 bill relating to accessibility (AB 3158), watching 18 bills, and taking no further action on AB 1785 (Nazarian), since it is not focused on Medi-Cal for persons with disabilities. The final two bills were SCDD sponsored bills relating to State Plan Goal 2, Employment (AB 2171/SB 1274).

It was moved/second (Lopez [FA]/Davidson [FA]) and carried to recommend a support position on AB 2331 (Weber), Medi-Cal redetermination periods. (For: Davidson, Forderer, Lewis, Lopez. Not present for vote: Aldana)

It was moved/second (Lopez [FA]/Aldana [SA]) and carried to recommend a support position on AB 2430 (Arambula), Medi-Cal financial eligibility requirements. (Unanimous – see first page for a list of members present)

It was moved/second (Aldana [SA]/Lopez [FA]) and carried to recommend a support position on AB 2291 (Chiu), bullying in schools. (For: Davidson, Forderer, Lewis, Lopez. Not present for vote: Aldana)

It was moved/second (Lopez [FA]/Lewis [FA]) and carried to recommend a support position on AB 2657 (Weber), restraints. (For: Davidson, Forderer, Lewis, Lopez. Not present for vote: Aldana)

It was moved/second (Lopez [FA]/Davidson [FA]) and carried to recommend a support position on AB 1909 (Nazarian), translations of written content. (Unanimous – see first page for a list of members present)

It was moved/second (Forderer [SA]/Aldana [SA]) and carried to recommend a support position on AB 2244 (Acosta), provider service approval process. (Unanimous – see first page for a list of members present)

It was moved/second (Lopez [FA]/Forderer [SA]) and carried to recommend a support position on AB 2587 (Levine), FMLA/SDA rules. (Unanimous – see first page for a list of members present)

It was moved/second (Davidson [FA]/Lewis [FA]) and carried to recommend a support position on AB 2623 (Holden), provider rates. (Unanimous – see first page for a list of members present)

It was moved/second (Forderer [SA]/Davidson [FA]) and carried to recommend a support position on AB 3200 (Kalra), SSP benefit payments. (Unanimous – see first page for a list of members present)

It was moved/second (Forderer [SA]/Lopez [FA]) and carried to recommend an oppose position on AB 3158 (Mathis), building accessibility. (Unanimous – see first page for a list of members present)

## 9. **UPDATES AND STANDING AGENDA ITEMS**

- a. Self-Determination Waiver Update
- b. CalABLE Update
- c. DDS Safety Net
- d. Funding from DC Properties

## 10. **MEMBER UPDATES**

Committee members provided updates from their local areas including voting accessibility and meeting outcomes with local Assemblymember Kalra.

## 11. **2018 FUTURE MEETING DATES**

The next Committee meeting will be held on April 18<sup>th</sup>, the additional meeting dates on June 11<sup>th</sup>, August 13<sup>th</sup>, and October 22<sup>nd</sup>.

## 12. **ADJOURNMENT**

Meeting at adjourned at 3:50 PM.



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

## **FY 2018 Omnibus Provides Welcome Relief for People with Disabilities**

Washington DC, March 28, 2018 - The Co-Chairs of the Fiscal Policy Task Force of the Consortium for Citizens with Disabilities (CCD), a national coalition of more than 100 national disability organizations, applauds and thanks Congress for passing essential legislation that funds the federal government through the remainder of the fiscal year. This bi-partisan compromise helps to restore years of lost funding for many disability programs that support the nation's 59 million Americans who live with a disability.

The budget relief made possible by the Bipartisan Budget Act of 2018 has allowed Congress to make much needed investments in a variety of programs that make community living possible for people with disabilities. We are pleased to see that Congress continues to value programs that provide education, housing, advocacy, public health and other essential services needed for people with disabilities to live independently. We also trust that the success of this bipartisan measure will help make the FY 2019 appropriations process a timely one conducted in regular order.

"We are generally pleased with the outcome. The final bill does not include many of the cuts proposed by the President and includes some important increases to early intervention, family caregiver programs, and other programs that support individuals with disabilities in the community," said Kim Musheno, Chair of CCD.

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The Consortium for Citizens with Disabilities is a broad coalition of national organizations working together to advocate for national public policy that ensures the education, self determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. For more information visit [www.c-c-d.org](http://www.c-c-d.org) or contact CCD's Fiscal Policy Task Force Co-Chairs: Annie Acosta, 202-783-2229 or [acosta@thearc.org](mailto:acosta@thearc.org); Lisa Ekman, 202-550-9996 or [Lisa.Ekman@nosscr.org](mailto:Lisa.Ekman@nosscr.org); Kim Musheno, 301-657-0881 or [kmusheno@autism-society.org](mailto:kmusheno@autism-society.org); Donna Meltzer, 202-506-5813 or [dmeltzer@nacdd.org](mailto:dmeltzer@nacdd.org)

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**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

April 4, 2018

The Honorable Roy Blunt  
Chairman  
Subcommittee on Labor-HHS-Education  
Senate Appropriations Committee  
131 Dirksen Senate Office Building  
Washington, District of Columbia 20510

The Honorable Patty Murray  
Ranking Member  
Subcommittee on Labor-HHS-Education  
Senate Appropriations Committee  
156 Dirksen Senate Office Building  
Washington, District of Columbia 20510

The Honorable Tom Cole  
Chairman  
Subcommittee on Labor-HHS-Education  
House Committee on Appropriations  
2358-B Rayburn House Office Bldg.  
Washington, DC 20515

The Honorable Rosa DeLauro  
Ranking Member  
Subcommittee on Labor-HHS-Education  
House Committee on Appropriations  
1016 Longworth House Office Bldg.  
Washington, DC 20515

Dear Chairmen Blunt and Cole and Ranking Members Murray and DeLauro:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) Task Force on Developmental Disabilities, Autism, and Family Support write to urge adequate funding for programs authorized by the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act). We respectfully request a Fiscal Year 2019 funding level of \$76,000,000 for the State Councils on Developmental Disabilities (DD Councils), \$42,000,000 for the Protection and Advocacy for Individuals with Developmental Disabilities (PADD) program run by Protection and Advocacy (P&A) agencies, \$43,500,000 for the University Centers for Excellence in Developmental Disabilities Education, Research and Service (UCEDDs), and \$12,000,000 for the Administration on Community Living (ACL)/Administration on Intellectual and Developmental Disabilities (AIDD) Projects of National Significance (PNS).

The DD Act established DD Councils, P&As, and UCEDDs (DD Act programs) in every state and territory to improve the lives of people with developmental disabilities through capacity building, systems change, advocacy, and the enforcement and protection of civil rights. The DD Act programs have been integral to the growth and development of service systems across the nation that states alone would not have capacity to do. For example, the DD Act programs work with state governments, advocates, and other stakeholders to:

- Provide resources to test out new service models.
- Conduct research and evaluation of outcomes and effectiveness.
- Conduct extensive interdisciplinary training on cutting edge service strategies and evidenced-based practices.

- Provide advocacy to protect legal rights.

With better diagnosis and treatment, persons with developmental disabilities are living longer lives and new issues around aging and caregiving must be met. DD Act programs are experiencing increasing demand for services to address existing issues for persons with developmental disabilities, such as barriers to employment and impediments to full community participation. The DD Act programs are essential in helping states' Medicaid agencies, developmental disabilities agencies, schools, and other providers to meet the mandates of bipartisan laws including the Americans with Disabilities Act, the Individuals with Disabilities Education Act, the Workforce Innovation and Opportunity Act, the Achieving Better Life Experience Act, and Every Student Succeeds Act. Through advocacy, research, training, and local grant allocations, the DD Act programs assure that individuals with significant disabilities are served in the community, rather than in institutional settings.

We also request continued support for ACL/AIDD's Projects of National Significance. PNS gather and report longitudinal data on the costs of, status of and trends in residential, in-home, individual, family and employment services for people with intellectual and developmental disabilities. They provide technical assistance to strengthen and support service networks, disseminate research, and share best practices nationwide. They assist policy makers at the state and national levels to understand and improve policies and practices for people with intellectual and developmental disabilities by monitoring progress, measuring outcomes and identifying or developing new evidence-based practices. They demonstrate promising practices or improve existing practices in areas of national importance such as cost-effective family supports, increasing employment opportunities, and ensuring an adequate supply of qualified people to provide supports. They also inform policy makers and stakeholders about critical emerging needs (e.g., babies born with Zika infection, strategies for supporting the rising number of children and adults with autism spectrum disorders, and cost-effective supports and services for an aging population).

Despite fiscal constraints over the past decade, DD Councils, P&As, UCEDDs, and PNS continue to engage in creating positive systems change in communities. Assuring these levels of funding in FY 2019 for the DD Act programs and PNS recognizes the critical role these programs have in moving the entire field of intellectual and developmental disabilities forward through research, program development, education, advocacy, and training that enhance the lives of individuals with developmental disabilities, their families, and communities.

Thank you for your consideration of this request and for your continued attention to these important national priorities. For more information please contact Erin Pranglely at [epranglely@nacdd.org](mailto:epranglely@nacdd.org).

Sincerely,

American Network of Community Options and Resources (ANCOR)  
American Psychological Association  
Association of University Centers on Disabilities

Autism Society  
Autism Speaks  
Autistic Self Advocacy Network  
Division for Early Childhood of the Council for Exceptional Children (DEC)  
Easterseals  
Family Voices  
IDEA Infant Toddlers Coordinators Association (ITCA)  
National Association of Councils on Developmental Disabilities  
National Association of State Directors of Developmental Disabilities Services  
National Association of State Directors of Special Education (NASDSE)  
National Disability Rights Network  
National Respite Coalition  
Parent to Parent USA  
TASH  
The Arc of the United States



## Select Committee on Intellectual and Developmental Disabilities

Committee Members	District	Office & Contact Information
<a href="#">Jim Frazier (Chair)</a>	Dem - 11	<a href="#">Contact Assembly Member Jim Frazier</a> <b>Capitol Office, Room 3091</b> P.O. Box 942849, Sacramento, CA 94249-0011; (916) 319-2011
<a href="#">Autumn R. Burke</a>	Dem - 62	<a href="#">Contact Assembly Member Autumn R. Burke</a> <b>Capitol Office, Room 5150</b> P.O. Box 942849, Sacramento, CA 94249-0062; (916) 319-2062
<a href="#">Heath Flora</a>	Rep - 12	<a href="#">Contact Assembly Member Heath Flora</a> <b>Capitol Office, Room 3098</b> P.O. Box 942849, Sacramento, CA 94249-0012; (916) 319-2012
<a href="#">Evan Low</a>	Dem - 28	<a href="#">Contact Assembly Member Evan Low</a> <b>Capitol Office, Room 4126</b> P.O. Box 942849, Sacramento, CA 94249-0028; (916) 319-2028
<a href="#">Brian Maienschein</a>	Rep - 77	<a href="#">Contact Assembly Member Brian Maienschein</a> <b>Capitol Office, Room 4139</b> P.O. Box 942849, Sacramento, CA 94249-0077; (916) 319-2077
<a href="#">Chad Mayes</a>	Rep - 42	<a href="#">Contact Assembly Member Chad Mayes</a> <b>Capitol Office, Room 4098</b> P.O. Box 942849, Sacramento, CA 94249-0042; (916) 319-2042
<a href="#">Jose Medina</a>	Dem - 61	<a href="#">Contact Assembly Member Jose Medina</a> <b>Capitol Office, Room 2141</b> P.O. Box 942849, Sacramento, CA 94249-0061; (916) 319-2061
<a href="#">Kevin Mullin</a>	Dem - 22	<a href="#">Contact Assembly Member Kevin Mullin</a> <b>Capitol Office, Room 3160</b> P.O. Box 942849, Sacramento, CA 94249-0022; (916) 319-2022
<a href="#">Blanca E. Rubio</a>	Dem - 48	<a href="#">Contact Assembly Member Blanca E. Rubio</a> <b>Capitol Office, Room 5175</b> P.O. Box 942849, Sacramento, CA 94249-0048; (916) 319-2048
<a href="#">Marie Waldron</a>	Rep - 75	<a href="#">Contact Assembly Member Marie Waldron</a> <b>Capitol Office, Room 4130</b> P.O. Box 942849, Sacramento, CA 94249-0075; (916) 319-2075
<a href="#">Shirley N. Weber</a>	Dem - 79	<a href="#">Contact Assembly Member Shirley N. Weber</a> <b>Capitol Office, Room 3123</b> P.O. Box 942849, Sacramento, CA 94249-0079; (916) 319-2079

**LEGISLATIVE AND PUBLIC POLICY COMMITTEE  
AGENDA ITEM DETAIL SHEET**

**ISSUE:** LEGISLATIVE STRATEGY AND PLANNING FOR REMAINDER OF 2018

**BACKGROUND:** As stated in Article IX, Section (e) of the Bylaws, the Legislative and Public Policy Committee (LPPC) is charged with reviewing and/or recommending positions on significant proposed legislation related to the State Plan. Each of the Goals in the approved State Plan and accompanying Work Plan (with the exception of Goal 1 since work on self-advocacy is occurs across all substantive issues) has a policy related objective with expected outcomes for Fiscal Year 2018.

**ANALYSIS/DISCUSSION:** SCDD has two bills sponsored on its identified priorities for this year, both focused on employment. SCDD is also investing significant resources to support the work of the new Select Committee on Persons with Intellectual and Developmental Disabilities. SCDD is also working to create a local advocacy engagement plan to engage all stakeholders including Council Members, RAC Members, Regional Office Managers and other stakeholders.

In 2017, the Council sponsored 2 bills and took positions on 16 bills. In 2016, the Council sponsored/co-sponsored 2 bills, took positions on 10 bills.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** All

**PRIOR COMMITTEE ACTIVITY:** On March 5, 2018, the LPPC recommended to the Council to approve taking positions on 10 bills. The Council voted in favor of this proposal. The LPPC also agreed to watch an additional 18 bills.

**RECOMMENDATION(S):** The LPPC will develop a targeted legislative strategy for the remainder of 2018 and begin planning for 2019.

## Strategies to consider for the remainder of 2018

1a) For 2018, to account for two SCDD sponsored bills, and other bills the Council is supporting, a suggested theme could be: *“Financial Stability and Economic Security for People with IDD”*. The bills the Council would prioritize work on would be bills that remove barriers to employment, improve collaboration among agencies providing employment services, test new employment models, improve ABLE Act, and improve benefit programs.

1b) Another targeted legislative strategy for consideration, given we are in the midst of the legislation session, we could pick 2 bills under each goal area of all of supported or watched bills, and these will be where we focus sending letters; being present either at hearings or in meeting with legislators; and updating Council Members, Regional Offices, and RAC members on status of bills and actions needed.

## Strategy to consider for 2019

2) For 2019, SCDD will choose a topic area for where it wants to see significant systems change through policy at the end of the year. This goal area will become a year-long theme for a SCDD campaign. SCDD will prioritize its policy work on this theme. The broad theme will be selected based on the current political climate at both the federal and state level, bills that SCDD is sponsored, and with stakeholder input.

**ATTACHMENTS(S):** None

**PREPARED:** Cindy Smith, Sheraden Nicholau, and Robin Maitino



## **AB 2171 (Frazier) One Person, One Goal: Improving Opportunities for Competitive Integrated Employment**

### **SUMMARY**

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The proposed bill will build on California's progress in increasing opportunities for individuals with intellectual disabilities and developmental disabilities (ID/DD) to prepare for and engage in competitive integrated employment (CIE). People with ID/DD seeking employment are often served by the Department of Education (CDE), Department of Rehabilitation (DOR) and/or Department of Developmental Services (DDS). This bill advances efforts by these Departments to coordinate so that one person experiences the system working toward one goal.

### **BACKGROUND**

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In the past five years, federal and state policies have changed to ensure that persons with disabilities have meaningful opportunities for CIE. In 2013, California's Employment First Policy was signed into law (Welfare and Institutions Code, section 4869(a)(1)). In 2014, Congress passed the Workforce Innovation and Opportunity Act (WIOA), which put into place new requirements to ensure students and adults have access to employment opportunities in CIE. In 2014, the Centers for Medicare & Medicaid Services also issued a new rule for Home and Community Services that governs how states can use Medicaid funds for community based housing and employment services.

In May 2017, the CDE, DOR and DDS issued "Real Work for Real Pay in the Real World": A Blueprint to Implement the Employment First Policy over the next five years. The Blueprint is intended to address implementing the new and existing federal and state policies that impact CIE. The overarching goal of the Blueprint is to jointly identify ways to increase CIE opportunities for individuals with ID/DD.

Currently, for an eligible individual with a disability, who may be eligible for services from any or all of the three Departments (CDE, DOR and DDS) each develop and implement a separate plan regarding the services and supports that an individual with a disability will receive from that agency. CDE, DOR and DDS also use their own internal data systems for individuals eligible for services and supports from that agency.

### **PROBLEM: Joe's Story**

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Joe is a young man with an intellectual disability is a client of the DOR and the Regional Center. He completed high school with a certificate of completion and wants to work in competitive integrated employment (CIE). Despite this personal goal, he had worked in a sheltered workshop for nearly 2 years, earning less than minimum wage. In addition, his individual program plan (IPP) with the Regional Center did not reflect his goal of working in the community



nor was he was receiving any services from the Regional Center to prepare him for CIE. He obtained representation to help him negotiate with the Regional Center.

After negotiations, the Regional Center agreed to update his IPP to reflect his goal of working in the community and also agreed to provide independent living skills training, employment skills, and individualized support while he attends classes at his local community college to gain workforce readiness skills. After Disability Rights California (DRC) helped him secure these services, Joe was able to leave his job in the sheltered workshop. DRC then went on to advocate for Joe to obtain supported employment services from the DOR.

If AB 2171 was in effect, the Regional Center would have a presumption that this individual wanted to receive a competitive wage for work in the community. The Regional Center would already be required to outline specific services they would provide in the person's IPP to help him reach that goal. The IPP would specify how the Regional Center would coordinate with the DOR to so that Joe could obtain additional vocational supports. Furthermore, Joe's success in achieving CIE after exiting special education could be easily tracked via common identifying code that would be shared by the Department of Education (DOE), DDS and DOR.

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## **SOLUTION**

The bill will further the goals of California's Employment First Policy and advance the goals of the Blueprint to ensure every individual has an opportunity to experience a system with one goal - work at minimum wage or above in the community.

The bill will require CDE, DOR and DDS to continue collaboration to strengthen the person-centered planning processes across the Departments, including having CDE and DOR formally adopt the Employment First Policy. The bill will create a method to share data across Departments, or make it portable for the person to independently access themselves. Finally, the bill will require the three Departments in their respective service plans to have a section of each plan that will specify how each Department will support the individual in obtaining or retaining CIE. The three Departments would be given until January 2020 to complete the agreement on how they will implement the legislation and update the Legislature on process to implement it.

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## **SUPPORT**

State Council on Developmental Disabilities (Sponsor)

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## **OPPOSE**

None Known

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## **FOR MORE INFORMATION**

Cindy Smith  
Deputy Director, Public Policy  
916-322-8481 or [cindy.smith@scdd.ca.gov](mailto:cindy.smith@scdd.ca.gov)



April 5, 2018

The Honorable Patrick O'Donnell  
Chair, Assembly Education Committee  
1020 N Street, Room 159  
Sacramento, CA 95814

**RE: SUPPORT FOR AB 2171 (FRAZIER)**

Dear Assemblymember O'Donnell:

The State Council on Developmental Disabilities (SCDD) is proud to sponsor AB 2171 (Frazier) – “One Person, One Goal.” The proposed bill will build on California’s progress in increasing opportunities for individuals with intellectual disabilities and developmental disabilities (ID/DD) to further competitive integrated employment (CIE). While small gains have been seen with an increase from 12 percent to close to 15 percent employment rate for people with ID/DD, the employment rate for people with disabilities remains far too low compared to the general population. Every person with a disability should have services and supports needed to become employed in or retain CIE, and be economically self-sufficient.

People with I/DD seeking employment are often served by the Department of Education (CDE), Department of Rehabilitation (DOR) and/or Department of Developmental Services (DDS). The bill will further the goals of California’s Employment First Policy and advance the goals of the Blueprint to ensure every individual has an opportunity to truly experience a system with one goal: to work for minimum wage or above in the community.

The following story illustrates the all-too-common barriers encountered when a person with ID/DD is seeking CIE:

*Susan has a developmental disability. She wants to get a job that pays more and has better hours than the sheltered workshop which is segregated and pays subminimum wage. With a Regional Center’s assistance, [she] applied for Department of Rehabilitation (DOR) services and participated in a vocational assessment that stated that [she] would benefit from supported employment services and could work in an integrated setting. After the assessment, the process stalled and both DOR and the Regional Center did not give [her] next steps to secure a supported employment provider.*

If AB 2171 were in effect, DOR and the Regional Center would have been required to work in cooperation to coordinate services for the individual to obtain a position in CIE, rather than leaving it to her to navigate the barriers to her goal.

More specifically, the bill will require:

- CDE, DOR and DDS to continue collaboration to strengthen the person-centered planning processes across the Departments.



- CDE and DOR to formally adopt the Employment First Policy, and apply it to all transition and employment related services provided by their respective agencies.
- CDE, DOR, and DDS to create a method to share data across Departments, or make the data portable for the person to independently access themselves without having to ask the Departments to provide it based on a record's request.
- CDE, DOR and DDS to have a section in their respective service plans that will specify how each Department will support the individual to obtain or retain CIE.

Close to 50 years ago, Congress established the State Councils in every state and territory. The Councils are authorized in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to ensure that individuals with developmental disabilities and their families design and can access services and supports that “promote self-determination, independence, productivity, and integration and inclusion” in community life. The Lanterman Act establishes the SCDD in California to be comprised of 31 members appointed by the Governor, including individuals with disabilities, their families, other partners and state agencies. The SCDD develops a five-year state plan to implement the DD Act through the work of 12 regional offices in California. The plan is developed with stakeholder input and is focused on addressing systemic barriers to employment, housing, education, community supports, health and safety for persons with developmental disabilities.

SCDD is mandated in the Employment First Policy to establish an Employment First Committee to identify strategies and recommend legislative, regulatory, and policy changes to increase employment for people with disabilities. SCDD has taken a lead role in working to remove barriers to CIE.

We are pleased to support AB 2171, as we are persuaded it is consistent with our Legislative Platform and State Plan.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dr. Lopez", written over a horizontal line.

Dr. April Lopez  
Chairperson



## SB 1274: Developmental Services: Data Exchange

### SUMMARY

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SB 1274 will help improve employment guidance and policies for individuals with developmental disabilities (I/DD) regarding competitive integrated employment (CIE) and the utilization of public benefits by authorizing data sharing between the Department of Social Services and the Department of Developmental Services to further California's Employment First Policy (AB 1041, Chesbro).

### BACKGROUND

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The Department of Developmental Services and the Regional Center system support about 141,207<sup>1</sup> working-age people with intellectual and developmental disabilities.

Last year, the California State Legislature passed AB 1696 which authorized the Employment Development Department to disclose specified wage related information to assist the Department of Developmental Services to implementation the Employment First Policy. However, more information is required from other public social service agencies, such as data related to utilization of benefit programs such as CalWorks and CalFresh by people with I/DD in order for the mission of the Employment First Policy to be fully realized by people with I/DD.

In 2014, Congress created the Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities.<sup>2</sup> The Committee was charged with making recommendations on "ways to increase competitive integrated employment (CIE) opportunities." One of the key findings in the report was that "neither the federal government nor most states have a consistent data system that can provide longitudinal information across systems or track participation in services that lead to CIE." However, California has made significant progress with AB 1696, and can continue to lead with this bill by now examining use of generic benefits programs designed for people living in poverty.

### PROBLEM

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Existing law prohibits the Department of Social Services from disclosing records and information concerning their programs except to agencies that administer public social services. Data from the Department of Social Services' California Work Opportunity and Responsibility to Kids (CalWORKs) as well as CalFresh programs is needed to fully

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<sup>1</sup> United States, DDS Information Technology Division. "Fact Book Fourteenth Edition." *Fact Book Fourteenth Edition*, June 2017. [www.dds.ca.gov/FactsStats/docs/factBook\\_14th.pdf](http://www.dds.ca.gov/FactsStats/docs/factBook_14th.pdf). Accessed 27 Feb. 2018.

<sup>2</sup> United States of America, Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities. (2016, September 15). Retrieved February 27, 2018, from [https://www.dol.gov/odep/topics/pdf/ACICIEID\\_Final\\_Report\\_9-8-16.pdf](https://www.dol.gov/odep/topics/pdf/ACICIEID_Final_Report_9-8-16.pdf)



understand how California’s Employment First Policy is improving outcomes for persons with I/DD and impacting the utilization of public benefits.

**SOLUTION**

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SB 1247 will require the Department of Social Services to disclose eligibility and enrollment data for the CalWORKS and CalFresh programs to the Department of Developmental Services to assist in the implementation of the Employment First Policy.

**POSITIONS**

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**SUPPORT**

State Council on Developmental Disabilities (Sponsor)

**OPPOSITION**

None Known

**FOR MORE INFORMATION**

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April 3, 2018

The Honorable Scott D. Wiener  
Chair, Senate Human Services Committee  
Sacramento, CA 95814

The Honorable Senator Hannah-Beth Jackson  
Chair, Senate Judiciary Committee  
Sacramento, CA 95814

**RE: Support for SB 1274 (McGuire)**

Dear Senator Wiener and Senator Jackson:

The State Council on Developmental Disabilities (SCDD) is pleased to sponsor SB 1274 (McGuire) because every person should have the opportunity to be economically self-sufficient. The bill will help improve our understanding of how employment policies for individuals with intellectual and developmental disabilities (I/DD) impact competitive integrated employment. The bill will authorize data sharing between the Department of Social Services and the Department of Developmental Services to further understand implementation of California's Employment First Policy (AB 1041, Chesbro).

Existing law prohibits the Department of Social Services from disclosing records and information concerning their programs except to agencies that administer public social services. Data from the Department of Social Services' California Work Opportunity and Responsibility to Kids (CalWORKs) and CalFresh programs is needed to understand how California's Employment First Policy is improving outcomes for persons with I/DD and impacting the utilization of public benefits. SB 1247 will require the Department of Social Services to disclose eligibility and enrollment data for the CalWORKs and CalFresh programs to the Department of Developmental Services. One of the goals of California's Employment First Policy is to raise the percentage of the people with I/DD who work from 13.6% to match the California general population rate of 75.7%.<sup>1</sup>

Nearly 50 years ago, Congress established the State Councils in every state and territory. The Developmental Disabilities Assistance and Bill of Rights Act of 2000 authorizes the Councils to ensure that people with I/DD and their families design and access services and supports that "promote self-determination, independence, productivity, and integration and inclusion" in community life. The Lanterman Act establishes the SCDD in California, comprised of 31 members appointed by the Governor, including individuals with I/DD, their families, other partners and state agencies. The SCDD develops a five-year state plan to implement the DD Act through the work of 12 regional offices. The plan is developed with stakeholder input and addresses systemic barriers to employment, housing, education, community supports, health and safety for persons with I/DD.

AB 1041 directs SCDD to establish an Employment First Committee to identify strategies and recommend legislative, regulatory, and policy changes to increase employment for people with disabilities. SCDD has taken a lead role in working to improve data that is available to understand long-term trends for people with I/DD in regards to competitive integrated employment. We are pleased to support SB 1274.

Sincerely,

A handwritten signature in blue ink, appearing to read "April Lopez".

Dr. April Lopez, Chairperson

<sup>1</sup> See [http://www.dds.ca.gov/RCOversight/Employment\\_CA.cfm](http://www.dds.ca.gov/RCOversight/Employment_CA.cfm)