



STATE COUNCIL ON DEVELOPMENTAL DISABILITIES LEGISLATIVE AND PUBLIC POLICY COMMITTEE MEETING POSTED AT: www.scdd.ca.gov

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CALL IN	CALL IN NUMBER: 1-888-475-4499					
MEETING	3 ID:	961 0387 0208				
DATE:	March 9, 2021					
TIME:	10:00 AM – 3:30 PM					

COMMITTEE CHAIR:

Item 1. CALL TO ORDER

Item 2. ESTABLISH QUORUM

Item 3. WELCOME AND INTRODUCTIONS

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Julie Austin

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.	
ltem 5.	APPROVAL OF JANURY 2021 MINUTES	Page 5
Item 6.	CHAIR REPORT Julie Austin, Committee Chair	Page 8
ltem 7.	FEDERAL LEGISLATIVE & REGULATORY UPDATES Julie Austin, Committee Chair and Aaron Carruthers, Executive Director	Page 9
Item 8.	 STATE LEGISLATIVE AND REGULATORY UPDATES VICE Julie Austin, Committee Chair and Bridget Kolakosky, Deputy Director Bills for LPPC to discuss are listed below. Hyperlinks are provided so you can view the current bill and status. A summary chart showing a summary of the bill and status as of February 25, 2021 is included in the packet. 1) Governor's Budget 2) Introduced Bills a. COVID-19 Relief Package Update: AB 81, SB 92 b. Sponsored/Co-Sponsored Bills: Employment: SB 639 c. Bills to Consider Taking a Position Accessibility/Internet: AB 34 DMV: AB 971 Education: AB 126 Elections: SB 672 Mental Health & Health: AB 270, AB 323, AB 1007, AB 1400 Providers: AB 1417 Public Safety: AB 118, AB 610, SB 52 Work and Wages: AB 299, AB 313 	Page 10
ltem 9.	UPDATES AND STANDING AGENDA ITEMS a. Council Meeting Summary	Page 28

- b. DDS Taskforce and Workgroups
- c. Self-Determination Program
- d. CalABLE

Item 10. 2021 MEETING DATES

June 3rd and September 9th

Item 11. ADJOURNMENT

Accessibility:

Pursuant to Government Code Sections 11123.1 and 11125(f) and Executive Order N-29-20, 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) 263-7919. Requests must be received by 5 business days prior to the meeting.

All times indicated and the order of business are approximate and subject to change.

AGENDA ITEM 3. INFORMATIONAL ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Welcome and Introductions

Given the robust agenda, the Committee Chair is requesting that Committee members provide a brief (1-2 minute) introduction of themselves. The goal of this agenda item is to allow each Committee member time to introduce themselves and their connection to the Council and policy work. For this meeting only, this will replace member updates.

Others in attendance will then be invited to introduce themselves.

Attachment(s)

None.

AGENDA ITEM 5. ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Approval of January 2021 Minutes

Members will review and approve the January meeting minutes.

Action Recommended Approve the January 14, 2021 minutes.

Attachment(s)

January 2021 Meeting Minutes



DRAFT Legislative and Public Policy Committee Meeting Minutes January 14, 2021

Attending Members

Members Absent

Connie Lapin (FA) Julie Neward (FA)

Julie Austin (FA) Jeana Eriksen (SA) Maria Marquez (SA) Wesley Witherspoon (SA) Kim Rothschild (FA)

Others Attending

Chris Arroyo Aaron Carruthers Charlotte Endres Lisa Gonzales Others Attending (cont.)

Kelly Headrick Beth Hurn Robin Maitino-Erben Karen Mulvany Lea Park-Kim Deborah Pearl Cindy Smith Matt Traverso

1. CALL TO ORDER

Committee Chair Julie Austin called the meeting to order at 10:16 a.m.

2. ESTABLISH QUORUM

A quorum was established.

3. WELCOME/INTRODUCTIONS

Members and others in attendance introduced themselves.

4. PUBLIC COMMENTS

Karen Mulvany provided public comment on a housing related legislative and regulatory topics as well as vaccine and COVID-related topics.

5. APPROVAL OF THE AUGUST 2020 MEETING MINUTES

Members were presented with the draft meeting minutes.

It was moved/seconded (Witherspoon [SA]/ Eriksen [SA]) and carried to adopt the August 20, 2020, meeting minutes as presented. Unanimous: See page one for a record of members present.

6. PURPOSE OF LPPC & OVERVIEW OF LEGISLATIVE PROCESSES

Committee Chair Julie Austin and SCDD Staff member Cindy Smith provided members with an overview of the Committee's purpose and went over the federal and state legislative processes.

7. FEDERAL LEGISLATIVE AND REGULATORY UPDATES

Committee Chair Austin and Executive Director Aaron Carruthers provided a brief update on the latest federal legislative and regulatory issues which included the updates on President Elect Joe Biden's appointments, inauguration and anticipated COVID-relief package

8. STATE LEGISLATIVE AND REGULATORY UPDATE

Executive Director Carruthers provided an update on the Governor's 220-2021 Proposed Budget, stating the proposed budget is in the amount of \$201 billon. The Governor's proposal also includes elements that would to pay down debt and increase the budget approximately \$665 million in areas relating to people with disabilities.

Executive Director Carruthers then provided an update on the status of the work being done in the new legislative session. He stated that the deadline to introduce legislation is February 19th and that staff was in the process of looking for authors to introduce legislation in line with the identified Council priorities.

9. UPDATES AND STANDING AGENDA ITEMS

A copy of the November Council summary was provided as an update for Council activities. Members were also provided hyperlinks to the state agency webpages in order to provide the most recent implementation updates on the DDS Taskforce and Workgroup, Self Determination Program and CalABLE programs.

10. MEMBER UPDATES

Members provided brief updates of local legislative and regulatory activities taking place in their areas.

11. 2021 MEETING DATES

The 2021 meeting dates are March 9th, June 3rd and September 9th.

12. ADJOURNMENT

Meeting adjourned at 12:06 p.m.

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AGENDA ITEM 6. INFORMATIONAL ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Chair Report

Given the size of the Committee and the robust agenda, Committee Chair Julie Austin will provide a Chair report that will included the Committee's expected outcome for the meeting and plan to allow for thorough discussion on the bills being considered. This plan will include suggested time limits for comments, the responsibility of the members serving on the Committee and more.

Handout(s)

Could be handout(s) day of meeting.

AGENDA ITEM 7. INFORMATIONAL ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Federal Legislative, Budget and Regulatory Updates

The goal of this agenda item is to provide an update on the latest federal legislative and regulatory issues, including those relating to COVID-19.

Attachments

None.

Handout(s)

Could be handout(s) day of meeting.

AGENDA ITEM 8. ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

State Legislative, Budget and Regulatory Updates

The goal of this agenda item is to go through the bills contained within the Legislative Bill Chart (Chart) and make recommendations to the Council at the March meeting.

The Chart contains bills that the Council is sponsoring/co-sponsoring, COVID-related and bills for the Committee to consider taking a position on.

To assist in guiding this discussion, staff has included Legislative Policy Platform and the 2021 Policy Priorities. Bills that are acted upon should reflect these previously approved documents. Members will be reminded of the previously approved robust and proactive legislative agenda that was approved at the August 2020 meeting. Members will also be asked to take positions on no more than 18-20 bills in order to allow bandwidth given COVID-related items.

Attachments

SCDD Policy Platform SCDD Policy Priorities 2021 February 25, 2021 Legislative Bill Chart

Handout(s)

Could be additional handout(s) day of meeting.



CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

____POLICY PLATFORM 2021

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Over 50 years ago, the State Councils on Developmental Disabilities were established in federal statute. The Councils are currently authorized in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) in each of the 56 states and territories to "promote self-determination, independence, productivity, integration and inclusion in all aspects of community life" for individuals with intellectual and developmental disabilities (I/DD) and their families through advocacy, capacity building, and systems change. The Lanterman Act established the California State Council on Developmental Disabilities (Council) to fulfill those rights.

The Council is comprised of 31 members appointed by the Governor including individuals with I/DD and their families, representatives from the DD Act partners (Disability Rights California and the three University Centers for Excellence in Developmental Disabilities), and mandated state agencies that provide services and supports to individuals with I/DD. To implement the rights in the DD Act, the Council develops and implements a five-year state plan that contains goals, objectives, strategies, and outcomes designed to improve and enhance the availability and quality of services and supports. In addition to the Council's Sacramento headquarters, regional offices support individuals with I/DD and their families through activities such as advocacy, training, monitoring, and collecting and disseminating public information.

The Council works with policymakers and other stakeholders to ensure policies pertaining to the rights of individuals with I/DD are protected and enhanced by ensuring individuals with I/DD can experience equality of opportunity, full participation, independent living, and economic self-sufficiency. These four pillars are enshrined in the Americans with Disabilities Act of 1990 (ADA). The Council supports the full and robust implementation and enhancement of state and recent federal policies that enshrine the values of the ADA such as the Workforce Innovation and Opportunities Act (WIOA), Home and Community-Based Services Setting Rule (HCBS), Every Student Succeeds Act (ESSA), and Achieving Better Life Experience (ABLE) Act.

The Council believes that individuals with I/DD and their families must be included and consulted in all aspects of the policy making process to ensure their needs are adequately and appropriately addressed. The Council works to address disparities in access, outcomes, and quality for all services and supports. The Council believes in ensuring transparency and accountability for state and federal programs providing services and supports to individuals with I/DD. Furthermore, the Council believes that complexities in the service delivery system must be reduced **a**nd that assistance in navigating services

and supports should be provided to individuals with I/DD and their families. The State of California must ensure that funding is used to achieve positive outcomes for individuals with I/DD and their families.

Disparities in services and supports can result in severe health, economic, and quality of life consequences. Services and supports must be distributed equitably so that individual needs are met in a culturally appropriate and linguistically competent manner regardless of race, ethnicity, income, intellectual or physical ability, age, and geographic location. Information and materials must be provided in plain language and/or alternative formats as requested.

PROMISE OF THE LANTERMAN ACT

The Lanterman Act promises to honor the needs and choices of individuals with I/DD by establishing an array of quality services throughout the state. Services must support people to live inclusive lives in their communities. Access to needed services and supports must be inclusive and not be limited through service caps, means testing, median rates, family cost participation fees, or other financial barriers. California must not impose artificial limitations, delays, or reductions in community-based services and supports that would compromise the health and safety of people with I/DD.

SELF-DETERMINATION

Individuals with I/DD and their families must be given the option to select and direct their services and service dollars through Self-Determination. The person with I/DD is in charge. With the support of those they choose and trust, individuals with I/DD and their families are empowered to develop their own unique needs, develop their own life goals, and construct those services and supports most appropriate to reach their full potential. The process begins with a Person Centered Plan (PCP) which details their unique needs, competencies, and aspirations. Self-Determination gives individuals with I/DD the tools and the basic human right to pursue life, liberty and happiness in the ways that they choose.

SELF-ADVOCACY

Individuals with I/DD must be in charge of their lives and be respected for the choices made. They must be provided the opportunity and support to be heard and be leaders in the service system and society including voting and other civic responsibilities. Individuals with I/DD must be protected against voter suppression and provided the same access to vote independently as individuals without disabilities. Self-advocates must have access to training, assistive technology, information, and materials in plain language and opportunities to participate in the policy making process.

EMPLOYMENT AND ECONOMIC SELF-SUFFICENCY

Every person with a developmental disability should have the opportunity to be employed in competitive integrated employment (CIE). CIE means full or part time work at minimum wage or above, with wages and benefits similar to those without disabilities, fully included

with co-workers without disabilities, and located in the community. California must invest in systems change efforts that will result in a measurable increase in CIE for people with I/DD. This priority is consistent with California's Employment First Law that states CIE is the priority outcome for working age individuals with I/DD regardless of the severity of their disability.

Policies, service delivery practices, and financing must set expectations for CIE, microenterprise training, and/or self-employment. Individuals with I/DD must have access to information, benefits counseling, transition planning, job training, and inclusive post-secondary education. Adequate provider rates must be established for the provision of services and to incentivize quality and inclusive employment outcomes.

Employers must be engaged, prepared, and supported to employ individuals with I/DD. New or expanded pathways to CIE, including apprenticeships and internships, must be developed and supported for all individuals with I/DD regardless of severity of disability. The Council supports the phasing out and elimination of subminimum wage and/or segregated employment for all individuals with I/DD.

TRANSPORTATION

Access to transportation is essential to education, employment, healthcare, and inclusion of individuals with disabilities. Timely accommodations must be available to people with I/DD that are available to people without disabilities. Mobility training must be a standard program among transportation providers to increase the use of available transportation and reduce reliance on costlier segregated transportation systems. Barriers between geographic areas and transportation systems must be addressed so people with I/DD can travel as safely and easily as people without disabilities. Emerging transportation options must be available and accessible to people with I/DD. Opportunities for car ownership must be increased.

HEALTH CARE

Every person must have access to comprehensive, timely, quality, and affordable health care, dental care, and wellness services as well as access to plain language information and supports to help in understanding health plans and making informed decisions about their health care. This requires informed consent, individualized and appropriate medication and treatments, and an adequate network of health professionals. Individuals with disabilities must have equal access to intensive medical services, testing, and vaccinations for communicable diseases as individuals without disabilities. Testing for communicable diseases must be provided in the same timeframe as it is provided to individuals without disabilities regardless of the person's living situation (live at home, live with family, or live in congregate living.)

All individuals with disabilities, including individuals with multiple health care needs, must have access to routine preventative care, mental and/or behavioral health treatment, dental care, durable medical equipment, and reproductive health needs. Service system complexities must not delay, reduce, or deny access to services. Individuals must be

reimbursed for insurance co-pays, co-insurance, and deductibles when their health insurance covers therapies that are on their Individual Program Plans (IPPs).

EDUCATION

Every student has the right to be safe in school and to receive a quality education with their peers that prepares them for post-secondary education and/or competitive integrated employment (CIE). Schools must ensure robust implementation of the Individuals with Disabilities Education Act (IDEA), Every Student Succeeds Act (ESSA), and other federal and state laws and regulations. Students with disabilities must be provided a free and appropriate public education and have access to the same opportunities for learning, in the classroom and online, as students without disabilities. School districts and other educational agencies must be held accountable for implementing all state and federal laws.

Students with disabilities must be educated alongside their peers without disabilities in the least restrictive environment (LRE). The needs of the student must not impact the child's placement in LRE. Parents must be provided information and training regarding how to access Free Appropriate Public Education (FAPE) and LRE. Students with disabilities must have access to the same virtual learning models as students without disabilities, and all related services must be provided for students with disabilities to access their education. Parents and students must have equal participation in the Individual Education Program (IEP) process including the ability to give informed consent. Comprehensive transition planning must be considered as part of the IEP process.

Teachers, school leaders, paraprofessionals, and other school-based professionals must be trained to use valid, positive, and proactive practices such as individualized school-wide positive behavior interventions and supports with fidelity. Schools must ensure that robust policies and practices are created and implemented to reduce bullying and harassment of students with disabilities. The Council opposes the use of all forms of seclusion and restraint. All school-based professionals and staff must be provided training on how to interact with students with disabilities.

HOUSING

Statewide inclusive living options for individuals with I/DD must be increased and enhanced through access to housing and subsidies that are paired in a timely manner with needed supports and services. Community education and integration must be provided to reduce discrimination. Permanent, affordable, accessible, safe and sustained housing options must be continually developed to meet both current and future needs.

COMMUNITY PARTICIPATION

Individuals with I/DD must have access to and be fully supported to fully participate in their communities with their peers without disabilities through opportunities in all areas of community life including but not limited to education, employment, recreation, organizational affiliations, spiritual development, and civic responsibilities that provide a life similar to individuals without disabilities.

TRANSITION TO ADULT LIFE

All services, including education, rehabilitation, independent or supported living, and regional center services, must support students and adults to transition to competitive integrated employment, post-secondary education, or other opportunities including volunteering that will lead to meaningful employment in the community. Transition services must be considered at the earliest possible opportunity and across the lifespan. Adults with I/DD must have access to meaningful activities of their choice with the appropriate services and supports including aging adults.

SAFETY

All people have a right to be safe. Every person must be provided emergency preparedness training for all types of emergencies or disasters. Individuals with I/DD experience a much greater rate of victimization and a far lower rate of prosecution for crimes against them. The same level of due process protections must be provided to all people. Individuals with I/DD should be trained on personal safety, how to recognize crimes, how to protect themselves against becoming victims of crime including on the internet, how to protect themselves from human trafficking, and how their participation in identification and prosecution can make a difference. In addition, too many interactions between law enforcement and individuals with I/DD end in avoidable tragedy. Law enforcement personnel, first responders, emergency medical professionals, and people in the judicial system must be trained in how to work with individuals with I/DD during the course of their duties including those who are suspects, victims, or witnesses of crimes. The Council opposes the use of all forms of seclusion and restraint.

QUALITY AND RATES FOR SERVICES AND SUPPORTS

Having access to and receiving quality individualized services and supports is the cornerstone for individuals with I/DD to be safe, healthy, and to promote self-determination, interdependence, and inclusion. An adequate safety net must be in place to immediately and timely address medical, mental health, behavioral, residential, staffing, equipment, or other needs when those services or supports fail, are interrupted, are not available, or additional services and supports are necessary for urgent or immediate need.

The state must streamline burdensome and duplicative regulations and processes that do not lead to positive, inclusive outcomes for individuals with I/DD and their families. Quality and timely assessment and oversight must be provided. The state must measure what matters, and the results must be administered in a culturally competent manner. The results must also be made public and be used to improve the system of services and supports. The state must restore and provide ongoing monitoring of rates to adequately support the availability of quality services for individuals with I/DD. A planned and systematic approach to rate adjustments must prioritize and incentivize quality services and supports.

For more information, contact: scdd@scdd.ca.gov | 916-263-7919



POLICY PRIORITIES 2021

PROTECTING AND ENHANCING CIVIL RIGHTS

Every person with a developmental disability has the right to self-determination, equality of opportunity, full participation, independent living and economic self-sufficiency regardless of how significantly the person is impacted by their disability.

The Council will work to ensure civil rights including identification and reduction of racial and ethnic inequalities and disparities are protected and enhanced. The Council will work to ensure the full and robust implementation of state and recent federal policies that enshrine the values of the Americans with Disabilities Act including but not limited to the Workforce Innovation and Opportunity Act, Home and Community-Based Services Settings Rule, Every Student Succeeds Act and Achieving Better Life Experience Act.

GUARANTEEING ACCESS TO EDUCATION AND EMPLOYMENT

Every student has the right to be safe in school and to receive a quality inclusive education with their peers that prepares them for post-secondary education and/or competitive integrated employment (CIE). Students with disabilities must be provided a free and appropriate public education and have access to the same opportunities for learning, in the classroom and online, as students without disabilities.

Every person with a developmental disability should have the opportunity to be employed in CIE. Policies, service delivery practices and financing must set expectations for CIE, microenterprise training and/or self-employment. People with developmental disabilities must have access to information, benefits counseling, transition planning, job training, career exploration and information and support for inclusive post-secondary education. New or expanded pathways to CIE must be developed and supported, including apprenticeships and internships. The Council supports the phasing out and elimination of subminimum wage and/or segregated employment.

The Council will work to ensure the full and robust implementation of the Individuals with Disabilities Education Act, Every Student Succeeds Act and other federal and state policies to ensure that students with developmental disabilities are provided the services and supports needed to receive quality inclusive education.

The Council will work to ensure the full and robust implementation of the Workforce Innovation and Opportunity Act and California's Employment First Law. The Council will work to ensure that policies and practices improve opportunities for and incentivize CIE. The Council will work to create incentives and supports for all types of employers and contractors for hiring. The Council will work to the make California a model state employer.

PROMOTING ACCESS TO QUALITY SUPPORTS IN THE COMMUNITY

Every person with a developmental disability should have access to and be fully supported to fully participate in their communities. Having access to and receiving quality and individualized services is the cornerstone for people with developmental disabilities to be safe, healthy and to promote self-determination, interdependance and inclusion. Services and supports in the community require adequate wages for providers. The state must restore rates. A planned and systematic approach to rate adjustments must prioritize and incentivize quality services. Disparities in access, outcomes and quality for all services and supports must be addressed. Complexities in the service delivery systems must be reduced.

The Council will work to continue to restore the Department of Developmental Services programs cut in 2009. The Council will work to make meaningful improvements to the service delivery system to reduce disparities, increase transparency and accountability and increase quality outcomes. The Council will support efforts to provide adequate wages to providers for inclusive and quality supports. The Council will work to ensure successful implementation of the Self-Determination Program.

ENSURING SAFETY IN THE COMMUNITY

Every person has a right to be safe. Every person with a developmental disability must be provided emergency preparedness training, training in personal safety, how to recognize crimes and how to protect themselves. Law enforcement personnel, first responders, emergency medical professionals and the judicial system must be trained in how to work with people with developmental disabilities (including those who are suspects, victims or witnesses of crimes) during the course of their duties.

The Council will work to ensure people with developmental disabilities are safe, free from abuse and neglect and have access to services and supports in their communities during all types of disasters or emergencies. The Council will work to ensure an adequate safety net for people in crisis and access to adequate crisis intervention services.

IMPROVING HOUSING AND COMMUNITY LIVING

Every person with a developmental disability should have the opportunity to live in the community. Permanent, affordable, accessible, safe and sustained housing options must be continually developed. Statewide inclusive living options for individuals with developmental disabilities must be increased and enhanced through access to housing and subsidies that are paired in a timely manner with needed services and supports.

The Council will work to implement the policy recommendations in the Statewide Strategic Framework for Housing. The Council will work to create a dedicated housing fund to support integrated community housing for people with developmental disabilities.

Number	Author	Bill Name	Summary	Current Status (as of 2/25/2021)
<u>SB 639</u>	Durazo (D)	Minimum wages: persons with disabilities.	(1)Existing law establishes a minimum wage for all industries and makes it a crime to pay an employee less than the minimum wage fixed by the Industrial Welfare Commission. Existing law, however, permits the commission to issue an employee who is mentally or physically disabled, or both, a special license authorizing the employment of the licensee for a period not to exceed one year from date of issue, at a wage less than the minimum wage. Existing law requires the commission to fix a special minimum wage for the licensee, which may be renewed on a yearly basis. This bill would prohibit new special licenses from being issued after January 1, 2022. The bill would permit a license to only be renewed for existing license holders who meet requisite benchmarks. The bill would make the above-described provision authorizing a lesser minimum wage for an employee who is mentally or physically disabled inoperative on January 1, 2024. The bill, commencing January 1, 2024, would prohibit an employee with a disability from being paid less than the legal minimum wage. This bill contains other related provisions and other existing laws.	Introduced: 2/19/2021
<u>AB 81</u>	Ting (D)	COVID-19 relief	(1) Existing law, the COVID-19 Tenant Relief Act, until July 1, 2025, establishes procedural requirements and limitations on evictions for nonpayment of rent due to COVID-19 rental debt, as defined. Existing law, among other things, prohibits a tenant that delivers a declaration, under penalty of perjury, of COVID-19-related financial distress from being deemed in default with regard to the COVID-19 rental debt, as specified. This bill would instead, among other things, prohibit an ordinance, resolution, regulation, or administrative action adopted by a city, county, or city and county from permitting a tenant a period of time that extends beyond August 31, 2022, to repay COVID-19 rental debt. This bill contains other related provisions and other existing laws.	Introduced: 12/7/2020

<u>SB 92</u>	Skinner (D)	COVID-19 relief	(1)Existing law, the COVID-19 Tenant Relief Act, until July 1, 2025, establishes procedural requirements and limitations on evictions for nonpayment of rent due to	Introduced: 12/16/2020
			COVID-19 rental debt, as defined. Existing law, among other things, prohibits a tenant that delivers a declaration, under penalty of perjury, of COVID-19-related financial distress from being deemed in default with regard to the COVID-19 rental debt, as	
			specified. Existing law makes an ordinance, resolution, regulation, or administrative action adopted by a city, county, or city and county in response to the COVID-19	
			pandemic to protect tenants from eviction subject to certain restrictions, including that the specified period of time during which a tenant is permitted to repay COVID-19 rental	
			debt may not extend beyond the period that was in effect on August 19, 2020, and a provision may not permit a tenant a period of time that extends beyond August 31,	
			2021, to repay COVID-19 rental debt. This bill would instead, among other things, prohibit an ordinance, resolution, regulation, or administrative action adopted by a city,	
			county, or city and county from permitting a tenant a period of time that extends beyond August 31, 2022, to repay COVID-19 rental debt. Existing law requires a plaintiff, in an	
			action seeking recovery of COVID-19 rental debt, to attach to the complaint documentation showing that the plaintiff has made a good faith effort to investigate	
			whether governmental rental assistance is available to the tenant, seek governmental rental assistance for the tenant, or cooperate with the tenant's efforts to obtain rental	
			assistance from any governmental entity or other third party, as specified. Existing law requires an action subject to that provision that was pending as of January 29, 2021, to	
			be stayed until July 1, 2021. This bill would instead, among other things, require those actions to be stayed until August 1, 2021. (2) Existing law provides for the payment of	
			unemployment compensation benefits to eligible persons who are unemployed through no fault of their own through a federal-state unemployment insurance program administered by the Employment Development Department. Under existing law,	
			unemployment compensation benefits are paid from the Unemployment Fund, which is continuously appropriated for this purpose. Existing law provides for the payment of	
			temporary federal-state emergency unemployment compensation benefits authorized under specified federal law to eligible individuals in this state for weeks of	
			unemployment beginning on or after February 1, 2009, and continuing until the week ending 4 weeks prior to the last week for which 100% federal sharing is authorized	
			under the federal American Recovery and Reinvestment Act of 2009, except as provided, if specified economic indicators trigger the payment of those benefits. Existing	
			law also provides for the payment of temporary federal-state emergency unemployment compensation benefits to eligible individuals in this state for weeks of unemployment	

			beginning on or after March 18, 2020, and continuing until the week ending 4 weeks prior to the last week for which 100% federal sharing is authorized by the federal Families First Coronavirus Response Act (FFCRA) or for weeks of unemployment ending 4 weeks prior to the last week for which Congress, pursuant to any future amendment of the Federal-State Extended Unemployment Compensation Act of 1970, has authorized 100% federal sharing, except as provided, if specified economic indicators trigger the payment of those benefits. This bill would provide that with respect to weeks of unemployment beginning on or after March 18, 2020, and continuing until the week ending 4 weeks prior to the last week for which 100% federal sharing is authorized by the FFCRA, this period shall be interpreted to retroactively include any subsequent extension of the last week for which 100% federal sharing is authorized by the FFCRA, and shall take effect as if the amendment extending full federal funding was enacted as part of the FFCRA. This bill would provide that, with respect to whether the state is in an extended benefit period beginning on November 1, 2020, through December 31, 2021, as permitted by specified federal law, the requirement that no extended benefit period may begin prior to the 14th week following the end of a prior extended benefit period shall not apply. The bill would also state that, when authorized by federal law to temporarily waive the "off" period, the requirement that no extended benefit period shall not apply. Because the bill would provide for the payment of additional amounts from the Unemployment Fund, a continuously appropriated special fund, it would make an appropriation. This bill would provide that the continuous appropriation would not be made for purposes of implementing the bill.(6)This bill would appropriate \$5,000,000 from the General Fund to the Franchise Tax Board to be allocated to existing California Earned Income Tax Credit for outreach contracts to provide increased awareness of the Gol	
<u>AB 34</u>	Muratsuchi	Communications:	Under existing law, the Public Utilities Commission has regulatory authority over public	Introduced: 12/7/2020
	(D)	Broadband for All	utilities, including telephone corporations. Existing law requires the commission to	
		Act of 2022.	develop, implement, and administer the California Advanced Services Fund program to	
			encourage deployment of high-quality advanced communications services to all	
			Californians. Existing law provides that the goal of the program is to, no later than	
			December 31, 2022, approve funding for infrastructure projects that will provide broadband access to no less than 98% of California households, as provided. This bill	
			broadband decess to no less than 50% of Galifornia households, as provided. This bill	

			would declare the intent of the Legislature to enact legislation that would enact the Broadband for All Act of 2022, to become operative only if approved by the voters at the November 8, 2022, statewide general election, to authorize the issuance of state general obligation bonds to fund increased access to broadband services to rural, urban, suburban, and tribal unserved and underserved communities.	
<u>AB 971</u>	Gray (D)	Driver's licenses: developmental disability status.	Existing law requires the Department of Motor Vehicles to issue a driver's license to an applicant when the department determines that the applicant is lawfully entitled to a license. Existing law allows an in-person applicant for a driver's license or identification card to request the word "VETERAN" be printed on the face of the driver's license or identification card, subject to certain requirements, including, among others, verification of veteran status, as specified, and payment of a \$5 fee, which the department is authorized to increase by regulation, in an amount not to exceed \$15, as specified. This bill would require an application for a driver's license or identification card to allow a person to certify to the department that they have a developmental disability, as defined, that may make communication with law enforcement officers difficult. The bill would require the application to allow the person to request that some indicia of this certification be printed on their driver's license or identification card. The bill would require the department to charge a specified fee to the person requesting that indicia on their driver's license or identification card.	Introduced: 2/18/2021
<u>AB 126</u>	E. Garcia (D)	Special education programs: Family Empowerment Centers on Disability.	Existing law requires the State Department of Education to award grants for the establishment of Family Empowerment Centers on Disability in 32 regions in the state to provide training and services to children and young adults with disabilities and their families. Existing law establishes a minimum base rate of \$150,000 for each center awarded a grant and requires a center that receives a grant to complete specified actions related to providing that training and those services. Existing law establishes a Family Empowerment and Disability Council composed of the executive directors of the centers and certain other members, establishes a base amount of \$150,000 to be made available annually to the council, and requires the council to, among other actions, develop a uniform tracking and data collection system to be used by each center. This bill would revise and recast the provisions related to Family Empowerment Centers on Disability, including requiring the department to give priority to grant applicants in those of the 32 regions in the state that do not have a center, increasing the minimum base rate for each center awarded a grant from \$150,000 to \$237,000 commencing with the start of the fiscal year after a center has been established in each of the 32 regions, and, commencing with the 2024–25 fiscal year, providing for an annual cost-of-living	Introduced: 12/18/2020

			adjustment of the grant amount, as specified. The bill would also increase the base amount to be made available annually to the council from \$150,000 to \$237,000. The bill would impose additional requirements on centers as a condition of receiving a grant and would require the department, among other actions, to, on or before June 30, 2023, develop a data collection template for use by centers and provide guidance to centers on how to define and report data. The bill would make implementation of the bill's provisions contingent upon an appropriation being made in the annual Budget Act or another statute for its purposes.	
<u>SB 672</u>	Bradford (D)	Remote accessible vote by mail systems: voters with disabilities.	Beginning the later of January 1, 2020, or one year after the date on which the Secretary of State certifies a remote accessible vote by mail system, as defined, existing law requires county elections officials to allow voters with disabilities to vote using a certified remote accessible vote by mail system. This bill would authorize a voter to self-identify as having a disability for purposes of voting with a remote accessible vote by mail system. By increasing the duties of county elections officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	Introduced: 2/19/2021
<u>AB 270</u>	Ramos (D)	Core Behavioral Health Crisis Services System.	Existing law, the Warren-911-Emergency Assistance Act, requires every local public agency, as defined, to have an emergency communication system and requires the digits "911" to be the primary emergency telephone number within the system. This bill would create the Core Behavioral Health Crisis Services System, using the digits "988" for the 988 Suicide Prevention and Behavioral Health Crisis Hotline, in compliance with existing federal law and standards governing the National Suicide Prevention Lifeline. The bill would require the department, as defined, to take specified actions to implement the hotline system. The bill would require the department to charge a fee on each resident of the state that is a subscriber of commercial mobile or IP-enabled voice services to pay for the costs of the program. The bill would create the 988 Fund, a new continuously appropriated fund, and would require the fees to be deposited along with other specified moneys into the 988 Fund. By creating a new continuously appropriated fund, the bill would make an appropriation. This bill contains other related provisions and other existing laws.	Introduced: 1/19/2021

<u>AB 323</u>	Kalra (D)	Long-term health facilities.	The Long-Term Care, Health, Safety, and Security Act of 1973 generally requires the State Department of Public Health to license and regulate long-term health care facilities and to establish an inspection and reporting system to ensure that long-term health care facilities are in compliance with state statutes and regulations. The term "long-term health care facility" includes, among other types of facilities, a skilled nursing facility and intermediate care facility. This bill would redefine a class "AA" violation as a class "A" violation that the department determines to have been a substantial factor, as described, in the death of a resident of a long-term health care facility. The bill would increase the civil penalties for a class "A," "AA," or "B" violation by a skilled nursing facility or intermediate care facility, as specified. The bill would delete numerous references to the "patients" of a long-term health care facility. This bill contains other existing laws.	Introduced: 1/26/2021
<u>AB 1007</u>	Carillo (D)	Forced or Involuntary Sterilization Compensation Program.	(1)Existing law prohibits sterilization of a person with developmental disabilities without the person's consent, if the person has the ability to consent to sterilization, as defined, unless a limited conservator authorized to consent to the sterilization of an adult with a developmental disability is appointed and obtains court authorization to consent to the sterilization, as specified. Existing law prohibits sterilization for the purpose of birth control in county jails and state prison facilities, as specified. This bill would establish the Forced or Involuntary Sterilization Compensation Program, to be administered by the California Victim Compensation Board for the purpose of providing victim compensation to survivors of state-sponsored sterilization conducted pursuant to eugenics laws that existed in California between 1909 and 1979 and to survivors of coercive sterilization performed in prisons after 1979. The bill would require the board, in consultation with community-based organizations, to conduct outreach to locate qualified recipients, as defined, disclose a coerced sterilization to that person if the person was sterilized while imprisoned, notify that person of the process to apply for victim compensation, and review and verify all applications for victim compensation, as specified. The bill would require the board to keep confidential and not disclose to the public a record pertaining to a person's application for victim compensation payments from, among other things, being considered taxable income for state tax purposes or being subject to enforcement of a money judgment, as specified. This bill contains other related provisions and other existing laws.	Introduced: 2/18/2021

<u>AB 1400</u>	Kalra (D)	Guaranteed Health Care for All.	Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), requires each state to establish an American Health Benefit Exchange to facilitate the purchase of qualified health benefit plans by qualified individuals and qualified small employers. PPACA defines a "qualified health plan" as a plan that, among other requirements, provides an essential health benefits package. Existing state law creates the California Health Benefit Exchange, also known as Covered California, to facilitate the enrollment of qualified individuals and qualified small employers in qualified health plans as required under PPACA. This bill, the California Guaranteed Health Care for All Act, would create the California Guaranteed Health Care for All program, or CalCare, to provide comprehensive universal single-payer health care coverage and a health care cost control system for the benefit of all residents of the state. The bill, among other services and would incorporate the health care benefits and standards of other existing federal and state provisions, including the federal Children's Health Insurance Program, Medi-Cal, ancillary health care or social services covered by regional centers for persons with developmental disabilities, Knox-Keene, and the federal Medicare program. The bill would require the board to seek all necessary waivers, approvals, and agreements to allow various existing federal health care payments to be paid to CalCare, which would then assume responsibility for all benefits and other existing laws.	Introduced: 2/19/2021
<u>AB 1417</u>	Frazier (D)	Community colleges: providers of care for individuals with developmental disabilities: model curriculum for certification program.	Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. The board of governors appoints the Chancellor of the California Community Colleges to serve as the chief executive officer of the segment. The California Community Colleges comprises 116 campuses operated by community college districts throughout the state. This bill would express findings and declarations of the Legislature relating to the need in this state for well-trained providers of care for individuals with developmental disabilities. The bill would require the chancellor's office to develop a model curriculum for a certification program for providers of care for individuals with developmental disabilities, designed to be offered at community college campuses where there is sufficient student interest and a properly qualified faculty to sustain such a program. The bill would require the chancellor's office, in developing the model curriculum, to consult with individuals and organizations with	Introduced: 2/19/2021

			expertise in the provision of care for individuals with developmental disabilities and the training of practitioners for that task.	
<u>AB 118</u>	Kamlager (D)	Emergency services: community response: grant program.	Existing law creates the Office of Emergency Services (office) within the office of the Governor. The office is responsible for the state's emergency and disaster response services for natural, technological, or man-made disasters and emergencies. Existing law requires the office to establish by rule and regulation various classes of disaster service workers, the scope of the duties of each class, and to adopt rules and regulations for the registration of each class of these workers. Existing law requires the office to work with advocacy groups representing the deaf and hard of hearing for the purpose of improving accessibility to emergency information and services for the populations that they serve. Existing law requires the office to develop a plan for state and local utilization of volunteers during a state of emergency. This bill would, until January 1, 2026, enact the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act for the purpose of creating, implementing, and evaluating the 3-year C.R.I.S.E.S. Grant Pilot Program, which the act would establish. The bill would require the office to establish rules and regulations for the purpose of expanding the participation of community organizations, over 3 years, for the purpose of specified vulnerable populations. The bill would require that grantees receive a minimum award of \$250,000 per year. The bill would require a community organization receiving funds pursuant to the program to use the grant to stimulate and support involvement in emergency response activities that do not require a law enforcement officer, as specified. The bill would require the Director of Emergency Services (director) to assemble staff and resources to carry out certain duties in support of the program. This bill contains other related provisions.	Introduced: 12/18/2020

	Kalaa (D)	Cohool oofotu:	I had a subting low the Lagislative recommendated of a work and the state of the state of the	Justine duras du 0/10/0001
<u>AB 610</u>	Kalra (D)	School safety: protection from criminalization.	Under existing law, the Legislature recognizes that all pupils enrolled in the state public schools have the inalienable right to attend classes on school campuses that are safe, secure, and peaceful. This bill would express the intent of the Legislature to enact future legislation to increase protections for pupils from criminalization for school-related misbehavior that is best addressed by school site personnel and appropriate supportive services, and to increase protections for parents and pupils from criminalization by limiting the grounds for which parents and students may be arrested and prosecuted with respect to public schools and public meetings.	Introduced: 2/12/2021
<u>SB 52</u>	Dodd (D)	State of emergency: local emergency: sudden and severe energy shortage: planned power outage.	Summary: Existing law, the California Emergency Services Act, authorizes the Governor to proclaim a state of emergency, and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state or the territorial limits of a local government caused by, among other things, a sudden and severe energy shortage. Existing law defines a "sudden and severe energy shortage" as a rapid, unforeseen shortage of energy, resulting from, but not limited to, events such as an embargo, sabotage, or natural disasters, and that has statewide, regional, or local impact. This bill would expand the definition of "sudden and severe energy shortage" to include a "deenergization event," defined as a planned power outage, as specified, and would make a deenergization event one of those conditions constituting a state of emergency and a local emergency.	Introduced: 12/7/2020
<u>AB 299</u>	Villapudua (D)	Career technical education: Apprenticeship Grant Program.	Existing law establishes the Student Aid Commission to administer state student financial aid programs, including, among other programs, the Cal Grant Program, the Assumption Program of Loans for Education, and the Middle Class Scholarship Program. This bill would establish the Apprenticeship Grant Program, commencing with the 2022–23 academic year, under the administration of the Student Aid Commission, to provide grants to encourage community college students to go into career technical education and vocational programs through participation in apprenticeships. Under the bill, the commission would provide supplemental grants to students who qualify for the Federal Pell Grant or for state financial aid and who participate in approved apprenticeship programs through campuses of the California Community Colleges. The	Introduced: 1/25/2021

			bill would prohibit these grants from exceeding a student's actual cost of attending a participating community college. This bill contains other related provisions.	
<u>AB 313</u>	C Garcia (D)	Civil service: Limited Examination and Appointment Program.	Existing law creates the Department of Human Resources, which succeeds to and is vested with all of the powers and duties exercised and performed by the Department of Personnel Administration. Existing law specifically grants the department the powers, duties, and authority necessary to operate the state civil service system in accordance with Article VII of the California Constitution, the Government Code, the merit principle, and applicable rules duly adopted by the State Personnel Board. Existing law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Existing law will repeal certain provisions of LEAP on January 1, 2022. This bill would, notwithstanding those provisions, require the department to, upon request of the appointing power, provide the appointing power a LEAP referral list without combining that list with a parallel list. The bill would require the department to establish guidelines for provision of reasonable accommodation to applicants and employees with disabilities and to adopt a model reasonable accommodation policy, as specified. This bill contains other related provisions and other existing laws.	Introduced: 1/25/2021

AGENDA ITEM 9. INFORMATIONAL ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Updates and Standing Agenda Items

The goal of this agenda item is for Committee members to provide updates on the following items and be updated on the actions of the Council.

Official agency updates on the DDS Taskforce and Workgroup, Self-Determination Program and CalABLE can be found by clicking the hyperlinks below.

- a. Council Meeting Summary
- b. DDS Taskforce and Workgroup (Updates)
- c. Self-Determination Program (Implementation Updates)
- d. CalABLE (<u>Updates</u>)

Attachment(s)

January 2021 Council Summary Could be additional handout(s) day of meeting.



Ensure that Californians with developmental disabilities are guaranteed the same full and equal opportunities for life, liberty, and the pursuit of happiness as all Americans.

January 26, 2021 State Council Meeting Summary

SIGNIFICANT ITEMS

 On January 26th, 2021, the State Council on Developmental Disabilities (SCDD) held its first Council meeting of the year by convening remotely on the Zoom platform. The meeting included a special visit from guest speaker Dr. Erica Pan, Deputy Director of the California Department of Public Health (CDPH)'s Center for Infectious Diseases and Chair of the CDPH <u>Community Vaccine Advisory Committee.</u>

Dr. Pan emphasized that disability advocacy is an important part of equity, and offered a valuable opportunity for the Council by sharing an insightful <u>presentation</u> and answering questions from Councilmembers regarding their concerns about the COVID-19 vaccine and its availability for people with I/DD.

- The Council welcomed its newest Governorappointed member, Jonathan Nelson, who was sworn in by Executive Director Aaron Carruthers. Jonathan is an at-large Family Advocate representing the Bay Area. Additionally, the Council introduced a new agenda item, "Member Spotlights." This month the Spotlight series recognized Councilmembers Kara Ponton and Aubyn Stahmer. Kara is a Self-Advocate in the North Coast region of California, and Aubyn is a UCEDD representative from UC Davis. For more details, check out SCDD's <u>"About The Councilmembers"</u> web page.
- Councilmembers also heard reports from Executive Director Aaron Carruthers and newly elected Council Chair Wesley Witherspoon. Chair Witherspoon is excited to serve in this

new leadership position alongside new Vice Chair Lee Bycel, and noted that SCDD should continue to advocate for priority access to the COVID-19 vaccine for people with disabilities.

- Councilmember Brian Winfield of the <u>Department of Developmental Services</u> (DDS) gave an overview of the 2021-2022 Governor's Proposed Budget. More information about the budget will be available soon.
- The SCDD State Plan Committee and Staff presented the Cycle 44 Grant Request for Proposals. Two opportunities were offered: one for proposals on <u>Health and Safety</u> with a focus on addressing mental health needs, and one for proposals on <u>Inclusive Education</u> with a focus on supporting inclusive practices. Members engaged in an active discussion about how the program development grant funding could be used and provided input regarding additional language edits for increased accessibility and clarification.

SUMMARY OF COUNCIL ACTIONS

The Council:

- Approved the December 2020 Council meeting minutes with corrections to the voting log
- Approved the Cycle 44 Grant Request for Proposals (RFP's) with additional suggested edits to the RFP language

FUTURE MEETING DATE

• The next Council meeting will be held on March 23rd, 2021.