



NOTICE/AGENDA

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

This is a teleconference and zoom meeting only. There is no physical location being made available to the public. Per [EXECUTIVE ORDER N-29-20](#), teleconferencing restrictions are waived during the COVID-19 pandemic. Therefore, Committee members are not required to list their remote locations and members of the public may participate telephonically or by Zoom from any location. Accessible formats of all agenda and materials can be found online at www.scdd.ca.gov.

JOIN ZOOM MEETING: [2021.LPPC.MEETING](#)
MEETING ID: **961 0387 0208**
PASSWORD: **160244**

Click [here](#) for instructions on using the Zoom application.

OR

JOIN BY TELECONFERENCE: (VOICE ONLY)

CALL IN NUMBER: **1-888-475-4499**
MEETING ID: **961 0387 0208**

DATE: September 9, 2021
TIME: 10:00 AM – 3:30 PM

COMMITTEE CHAIR: Julie Austin

Item 1. CALL TO ORDER

Item 2. ESTABLISH QUORUM

Item 3. WELCOME AND INTRODUCTIONS

Page 4

Item 4. PUBLIC COMMENTS

This item is for members of the public to provide comments and/or present information to this body on matters not listed on the agenda. There will be up to 20 minutes allocated to hear from the public with each person allotted up to 3 minutes to comment.

Additionally, there will be up to 10 minutes allocated to hear from the public on each Council agenda item, with each person allotted up to 1 minute to comment.

Item 5. APPROVAL OF JUNE 2021 MINUTES Page 5

Item 6. FEDERAL LEGISLATIVE & REGULATORY UPDATES Page 9

Julie Austin, Committee Chair and Bridget Kolakosky, Deputy Director

Item 7. STATE LEGISLATIVE, BUDGET AND REGULATORY UPDATES Page 10

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 August 27, 2021 is included in the packet.

1) Introduced Bills

a. **Sponsored/Co-Sponsored Bills:** Employment: [SB 639](#)

b. Support/Support If Amended

Community Supports: [AB 34](#), [AB 813](#), [AB 1007](#), [SB 672](#)

Public Safety: [AB 971](#),

Education: [AB 126](#), [SB 291](#), [SB 692](#)

Education & Safety: [AB 610](#),

Health and Safety: [AB 270](#), [AB 323](#), [AB 1400](#), [AB 1417](#),
[AB 118](#), [SB 52](#)

Education & Employment: [AB 299](#), [AB 313](#)

2) Governor's Budget

Item 8. 2022 LEGISLATIVE PLANNING

Julie Austin, Committee Chair and Bridget Kolakosky, Deputy Director

- a. Legislative Process and Timeline Presentation
 - b. 2022 Policy Priorities
 - c. 2022 Bill Ideas
-

Item 9. UPDATES AND STANDING AGENDA ITEMS

Page 28

- a. Council Meeting Summary
 - b. DDS Taskforce and Workgroups
 - c. Self-Determination Program
 - d. CalABLE
-

Item 10. MEMBER UPDATES*All*

Item 11. FUTURE MEETING DATES

To be determined. The Chair is proposing we meeting in late October or early November.

Item 12. 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.

September 9, 2021

**AGENDA ITEM 4.
INFORMATIONAL ITEM**

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Public Comment

This item is for members of the public to provide comments and/or present information to this body on matters not listed on the agenda. There will be up to 20 minutes allocated to hear from the public with each person allotted up to 3 minutes to comment.

September 9, 2021

AGENDA ITEM 5.

ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Approval of June 2021 Minutes

Members will review and approve the June meeting minutes.

Action Recommended

Approve the June 3, 2021 minutes.

Attachment(s)

June 2021 Meeting Minutes

Handout(s)

Could be additional handout(s) day of meeting.



DRAFT

**Legislative and Public Policy Committee Meeting Minutes
June 3, 2021**

Attending Members

Julie Austin (FA)
Jeana Eriksen (SA)
Karen Millender (FA)
Jonathan Nelson (FA)
Rosie Ryan (SA)
Wesley Witherspoon (SA)

Members Absent

Andy Imperato (DRC)
Connie Lapin (FA)
Maria Marquez (SA)
Julie Neward (FA)
Olivia Raynor (Tarjan)

Others Attending

Chris Arroyo
Aaron Carruthers
Jess Corey

Others Attending (cont.)

Debra Kamm
Rita Loof
Robin Maitino-Erben
Nancy Mendoza
Karen Mulvany
Mary Agnes Nolan
Deborah Pearl
Pamela Perls
Fernando Roldan
Matt Traverso

1. CALL TO ORDER

Committee Chair Julie Austin called the meeting to order at 10:03 a.m.

2. ESTABLISH QUORUM

A quorum was established at 10:15 a.m.

3. WELCOME/INTRODUCTIONS

Members and others in attendance provided a brief introduction of themselves.

4. PUBLIC COMMENTS

Karen Mulvany provided public comment on H&S Code 1799.103. Ms. Mulvany reported that the law states that it is not lawful for any employer to prohibit employee from volunteering to assist in a medical emergency. However, she is seeing and hearing that there is still a lot of confusion on this and she wanted to bring it to the Council's attention.

5. APPROVAL OF THE MARCH 9, 2021 MEETING MINUTES

Members were presented with the draft meeting minutes.

It was moved/seconded (Nelson [FA]/ Witherspoon [SA]) and carried to adopt the March 2021 meeting minutes as presented. Passed by acclamation. See page one for a record of members present.

6. FEDERAL LEGISLATIVE AND REGULATORY UPDATES

This item was tabled to after 11:00 a.m. in order to allow Executive Director Aaron Carruthers the opportunity to attend the Federal update call that was occurring during this meeting.

Executive Director Carruthers rejoined the meeting and provided members a brief update on the latest federal legislative and regulatory issues stating that the President's proposed budget was released, and the proposal includes a lot more money for policy and programs than anticipated for the budget going in effect on October 2021.

7. STATE LEGISLATIVE, BUDGET AND REGULATORY UPDATES

Prior to the State Legislative Update, Executive Director Carruthers provided an update on the latest COVID-related activities which was largely about vaccine rates.

Executive Director Carruthers stated that California is on track to reach the 70-75% vaccine rate by July and reported that SCDD is focusing on making vaccines easy to get for everyone, even those who limited access to vaccine clinics and/or have significant medical needs. One way SCDD is doing this is by forming a collaboration with Curative, who is the fastest growing medical supply company in the country. Curative's employees are trained in providing vaccines to persons with significant medical needs. SCDD has also been providing feedback to stakeholder to ensure that persons with the most significant medical needs are also getting access, either by getting rides to vaccines or by having someone trained come to their home to administer the vaccine.

Legislative Update

In March 2021, the Committee acted to recommend that the Council support 14 bills. These bills are listed below by State Plan goal. At this meeting, Committee members were given an update of each of those bills, the Council's sponsored bill, SB 639 (a bill that would prohibit an employee with a disability from being paid less than the legal minimum wage) and provided an update on the three bills the Committee and Council Chair used their delegated authority to support. Those bills are: SB 692, SB 291 and AB 813, which are also listed.

During the updates, members asked questions, made suggestions and requested clarification on a variety of bills.

Sponsored/Co-Sponsored Bills: Employment: [SB 639](#)

Support/Support If Amended

Community Supports: [AB 34](#), [AB 813](#), [AB 1007](#), [SB 672](#)

Public Safety: [AB 971](#),

Education: [AB 126](#), [SB 291](#), [SB 692](#)

Education & Safety: [AB 610](#),

Health and Safety: [AB 270](#), [AB 323](#), [AB 1400](#), [AB 1417](#), [AB 118](#), [SB 52](#)

Education & Employment: [AB 299](#), [AB 313](#)

Following the Committee's discussion, the following public comments were made.

Ms. Rita Loof provided public comment on AB 967 (Frazier). She requested that the Committee write a letter opposing this bill because Ms. Loof does not believe this bill would solve the problem it is seeking to solve. In fact she believes, it would worsen the problem.

Ms. Rita Loof also commented on AB 339 and requested that the Committee support this bill.

Following Ms. Loof's comments, Committee member Karen Millender followed up on with Ms. Loof's comments regarding AB 967 by asking Ms. Loof to tell the Committee what she found out the when submitting a public records act request on the matters contained within AB 967.

Following comments made by Ms. Loof and Ms. Millender, Deputy Director of Policy and Planning, Bridget Kolakosky provided the Committee with an update on this bill by stating she was watching this bill closely and is continuing to do research on it. She requested time for the hearing committee to review and for her to do more research.

Ms. Pamela Perls asked if the Council would consider supporting legislation that would encourage instructing public school teachers without special education degrees to get educated about accommodation needs for special education students.

Debra Kamm provided public comment also requesting that the Council oppose AB 967.

Fernando Roldan provided comment requesting that bills that require public schools to do something also require private schools to do the same. Mr. Roldan then thanked the Committee for ensuring that immigrants were included in H&S bills we supported before ending his public comment by talking about his experience with California's LEAP program.

8. UPDATES AND STANDING AGENDA ITEMS

A copy of the May 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.

9. MEMBER UPDATES

Committee member Jonathon Nelson reported that his regional center holds annual meetings with their clients and that this could be a good format to do follow-up outreach on vaccines to ask about vaccine status and/or barriers. He also wanted to put on the Council's radar that perhaps having a holistic component to the Emergency Preparedness GO KITS would be useful.

Committee member Wesley Witherspoon asked if the Council would put ransomware on its radar stating that it was recently become quite a problem. He talked about the state's current challenges with the drought, transportation, housing.

Committee Chair Julie Austin asked that Council consider taking some sort of action to assist in better preparing persons with I/DD in natural disasters such as wild fire and floods.

10. 2021 MEETING DATES

The next meeting is September 9th.

11. ADJOURNMENT

Meeting adjourned at 12:49 p.m.

September 9, 2021

**AGENDA ITEM 6.
INFORMATIONAL ITEM**

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Federal Legislative and Regulatory Updates

The goal of this agenda item is to provide updates on the latest federal legislative and regulatory issues. For updates on policies affecting National Association of Councils on Developmental Disabilities (NACDD) please visit <https://www.nacdd.org/policy/>.

Attachments

None.

Handout(s)

Could be additional handout(s) day of meeting.

September 9, 2021

**AGENDA ITEM 7.
POTENTIAL 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 review the status and make recommendations if needed. The Chart is grouped by State Plan Goal with the status as of August 27th.

To assist in guiding this discussion, staff has included Policy Platform and Policy Priorities. Any actions should reflect these previously approved documents.

Members will also be provided an update on the State Budget.

Attachment(s)

SCDD Policy Platform
SCDD Policy Priorities 2021
August 27, 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 and 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-SUFFICIENCY

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 deny¹⁴ 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 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, interdependence 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.

Bills for May 2021 SCDD Meeting

| Bill | Author | Bill Name | Summary | Current Status as of 6/2/2021 | SCDD Position | SCDD State Plan Priority |
|---|----------------|--|--|---|--|---|
| SB 639 Last Amend: 8/26/21 | Durazo (D) | Minimum wages: persons with disabilities. | Proposes the phase out and end of California's participation in the federal subminimum wage program, also known as the 14(c). The bill will stop new certificates from being issued after January 1, 2022, and ends California's participation in the program in 2025. The bill allows for a planned phase-out period that will allow time for providers and people with disabilities to transition services. The bill requires the Governor's office, in partnership with relevant state agencies and engaging input from statewide organizations, to develop and implement a phaseout plan with stakeholder involvement, by January 1, 2023, to pay any employee with a disability by January 1, 2024, no less than the state minimum wage. The bill would also requires the Governor, or the designated lead agency, to submit areport on its findings and the plan to implement these changes to the appropriate policy committees of the Legislature for review on or before January 1, 2023. | 8/26/2021-From Approps: Do pass as amended. (Ayes 12. Noes 3.) (August 26). | Sponsor (Letters Sent) | State Plan Goal: Employment |
| AB 34 Last Amend: 4/5/21 | Muratsuchi (D) | Communications Broadband for All Act of 2022. | Broadband for All Act of 2022. Would place a \$10 billion bond on the ballot in November 2022 to fund access to high-speed internet service to unserved and underserved communities in rural as well as in low-income urban and suburban areas. | 5/5/2021- Assembly Appropriations Suspense File Held under submission. | Support (Letters sent) | State Plan Goal: Community Supports (Internet access) |
| AB 813 Last Amend 4/14/21 | Mullin(D) | Developmental services: service outcome pilot project. | Requires the State Department of Developmental Services (DDS) to establish a pilot project to develop metrics and methods of data collection to evaluate the outcomes of services authorized by regional centers and provided through an approved vendor. | Bill Dead: 8/16/2021-In Approps: Set, first hearing. Hearing canceled at the request of author. | Support (using Delegated Authority) (Letters Sent) | State Plan Goal: Community Support (Service Outcomes) |
| AB 1007 Last Amend 7/1/21 | Carrillo (D) | Forced or Involuntary Sterilization Compensation Program | Creates the "Forced Sterilization Compensation Program" that will compensate people who were involuntarily sterilized by a California state prison over the last 40 years. | Bill Dead: 8/19/2021-In Approps: Set, first hearing. Hearing canceled at the request of author. | Support (Letters Sent) | State Plan Goal: Community Support (Compensation) |

Bills for May 2021 SCDD Meeting

| | | | | | | |
|--|---------------|--|--|---|--|--|
| SB 672 | Bradford(D) | Remote accessible vote by mail systems: voters with disabilities. | Creates a vote by mail process for individuals with a disability for the purpose of voting in a California election. | 4/30/2021-Senate 2 Year Bill | Support | State Plan Goal: Community Supports (Voting) |
| AB 971 | Gray (D) | Driver's licenses: development of disability status. | This bill allows an applicant for a CA ID card or a Driver's License to self-certify that they may have difficulty communicating with law enforcement stemming from an intellectual or developmental disability. | 5/25/2021-Assembly 2-Year | Support if Amended | State Plan Goal: Public Safety |
| AB 126 Last Amend 4/5/21 | E. Garcia (D) | Special education programs: Family Empowerment Centers on Disability. | Helps families in the special education system by increasing the funding for Family Empowerment Centers (or FEC's). FEC's help families of children and young adults with disabilities, between the ages of 3 and 22, navigate the special education system. | 7/14/2021: Dead: Failed Deadline pursuant to Rule 61(a)(11). | Support (Letters Sent) | State Plan Goal: Education |
| SB 291 Last Amend 5/20/21 | Stern (D) | Advisory Commission on Special Education: pupil advisory council. | This bill establishes an advisory council of pupils with exceptional needs to provide input to the Advisory Commission on Special Education (ACSE) and adds a member of the pupil advisory council to the ACSE. | 6/4/2021-Dead: Failed Deadline pursuant to Rule 61(a)(8). | Support (Using Delegated Authority) (Letters Sent) | State Plan Goal: Education |
| SB 692 Last Amend 7/13/21 | Cortese (D) | Local control and accountability plans: state priorities: least restrictive environment. | This bill adds least restrictive environment to the state priorities for purposes of a school district's Local Control and Accountability Plan (LCAP), requires the evaluation rubric to include least restrictive environment as an indicator, requires special education local plan areas to be invited to all differentiated assistance meetings related to least restrictive environment, and requires the Superintendent of Public Instruction (SPI) to conduct a survey on the minimum amount of professional development needed for teachers to be prepared to teach pupils with learning disabilities. | 8/26/2021-August 26 hearing postponed by committee. 2-year bill | Support (Using Delegated Authority) (Letters Sent) | State Plan Goal: Education |

Bills for May 2021 SCDD Meeting

| | | | | | | |
|--|-------------|--|--|---|------------------------|---------------------------------------|
| AB 610 Last Amend 3/25/21 | Kalra (D) | School safety: mandatory notifications | Allows schools to address a student's misbehavior in better ways than the current requirement to call the police. This will protect students by allowing schools to bring in the right supportive services. | 4/30/2021-Assembly 2 Year Bill | Support if Amended | State Plan Goal: Education and Safety |
| AB 270 | Ramos (D) | Core Behavioral Health Crisis Services System | Creates the phone line "988 Suicide Lifeline." This will be a free phone number For people to call when they are in a mental health crisis and need help. | 1/28/2021-Assembly Health | Support | State Plan Goal: Health |
| AB 323 Last Amend 7/15/21 | Kalra (D) | Long-term health facilities. | Improves the health and safety of patients in skilled nursing facilities by holding the nursing home accountable for deaths that could have been avoided. The bill increases penalties and improves the department's ability to ensure a high quality level of care. | 8/17/2021-Read second time. Ordered to third reading. | Support (Letters Sent) | State Plan Goal: Health and Safety |
| AB 1400 | Kalra (D) | Guaranteed Health Care for All. | Creates health care coverage for all California residents called "CalCare" which will guarantee quality health care at a low cost to individuals, regardless of citizenship status. | 4/30/2021-Assembly 2 Year Bill | Support | State Plan Goal: Health |
| AB 1417 | Frazier (D) | Community colleges: providers of care for individuals with developmental disabilities: model curriculum for certification program. | Creates a new certificate program through CA Community Colleges that would train and educate professionals who provide care to individuals with developmental disabilities. | 7/14/2021-Dead: Failed Deadline pursuant to Rule 61(a)(11). | Support (Letters Sent) | State Plan Goal: Health and Safety |

Bills for March 2021 SCDD Meeting

| | | | | | | |
|--|----------------|---|--|---|------------------------|---|
| AB 118 Last Amend 8/26/21 | Kamlager (D) | Emergency services: community response grant program | Establishes the "Community Response Initiative to Strengthen Emergency Systems"(CRISES) Act. This will allow other professionals to respond to 911 calls instead of just the police. | 8/26/2021-From committee: Amend, and do pass as amended. (Ayes 6. Noes 0.) (August 26). Ordered returned to second reading. | Support (Letters Sent) | State Plan Goal: Safety |
| SB 52 Last Amend 8/26/21 | Dodd (D) | State of emergency: local emergency: planned power outage. | Expands the Emergency Services Act to include in "Public Safety Power Shutoff" events. This will ensure communities have more support services when the electricity is turned off due to concerns about extreme weather and risks for wildfires. | 8/26/2021-Read third time and amended. Ordered to third reading. | Support (Letters Sent) | State Plan Goal: Safety |
| AB 299 Last Amend 3/15/21 | Villapudua (D) | Career technical education: Apprenticeship Grant Program. | Creates the Apprenticeship Grant Program through the CA Community Colleges and encourages students to participate with additional funding. | 4/30/2021-Assembly 2 Year Bill | Support (Letters Sent) | State Plan Goal: Education and Employment |
| AB 313 Last Amend; 8/26/21 | C Garcia (D) | Civil service: Limited Examination and Appointment Program. | Improves the Limited Examination and Appointment Program (LEAP) by ensuring individuals with intellectual and developmental disabilities have more job opportunities in civil service. | 8/26/2021-From Approps: Amend and do pass as amended. (Ayes 7. Noes 0.) Ordered returned to second reading. | Support (Letters Sent) | State Plan Goal: Employment |

September 9, 2021

AGENDA ITEM 8.

ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

2022 Legislative Planning

The goal of this agenda item is for Committee members to begin activity planning for 2022. The Committee will begin this task by reviewing the new 2022-26 State Plan and being presented with the Legislative process and timeline. Once completed, the members will review the Council's current Policy Priorities document and determine if changes are needed. Using the 2022-26 State Plan and revised Policy Priorities documents, members will begin identifying possible legislative ideas.

To assist in guiding this discussion, staff has included the 2022-2026 State Plan and the Policy Priorities. The attached legislative idea sheet can be used to prepare Committee members for the discussion in advance if they wish.

At the end of this exercise, Committee and public members will be given a link to a survey where they may continue to submit legislative ideas year around.

Attachment(s)

2022-26 State Plan

2021 Policy Priorities

Legislative Idea Sheet

Handout(s)

Legislative Process and Timing Presentation

Could be additional handout(s) day of meeting.

2022-26 State Plan

Goal 1: Self-Advocacy

The Council will support people with intellectual/developmental disabilities to become strong self-advocates, peer trainers and community leaders.

Objectives

1.1

The Council will provide information, resources and 125 trainings to strengthen 1,250 self-advocates in:

- 1)** identifying and asking for the supports and services that they need;
- 2)** becoming and serving as peer trainers; and,
- 3)** developing skills and opportunities to engage as strong activists for issues that are important to them and their families

1.2

The Council will support self-advocates in peer networks by providing facilitation, tangible supports and peer advocacy/leadership opportunities through at least 1 statewide and 12 regional self-advocacy entities, reaching 6,000 self-advocates.

1.3

In the event of unforeseen project opportunities, emerging needs, and/or community, cross-regional or statewide requests, the Council may engage in additional activities with and/or on behalf of self-advocates and those who support and serve them.

Goal 2: Systems Change/Advocacy

The Council will lead in partnership with family/self-advocates and others to protect and enhance civil rights and improve community-based systems to be more fully inclusive and supportive of people with intellectual/developmental disabilities and their families.

Objectives

2.1

The Council will develop, improve and/or change 30 practices, 15 policies, and 10 regulations (or guidance) and/or laws in the systems of regional centers, community-based services, and governmental entities. This work will include the areas of employment, education, housing, health/safety and/or emerging issues in ways that will benefit people with intellectual/developmental disabilities and protect their civil rights, promote full inclusion, and/or provide additional supports and services, improving their lives in tangible ways.

2.2

The Council will engage in 20 regional and 5 statewide innovative/special projects and/or events in the areas of employment, education, housing, health/safety and/or self-determination to:

- 1)** Support 5,000 people (family/self-advocates and others) in systems change efforts and give them information, skills and/or supports to increase their abilities to become effective advocates; and/or,
- 2)** Increase services to improve supports for people with intellectual/developmental disabilities and their families.

2.3

The Council, in collaboration with California's four (4) partners (one Protection and Advocacy agency and three University Centers for Excellence in Developmental Disabilities), will seek to improve the generic service system that impacts people with intellectual/developmental disabilities by choosing an area of emphasis in the State Plan, such as education, employment, housing, and/or health/safety, and report on how that system is serving people with I/DD, gaps in that service delivery system, recommendations on how to improve the systems to meet the goals of the DD Act, and pursue policy and practice changes in those areas. The collaboration will result in 2 reports, 6 recommendations for policy or practice changes, and 2 Legislative or Administrative changes to policy or practice.

Goal 3: Capacity-Building/Advocacy

The Council will partner with and support more people with intellectual/developmental disabilities and their families, so they know their rights and can advocate for and receive supports and services

Objectives

3.1

The Council will provide (staff-led, peer-led and/or collaborative) training to 60,000 people (family/self-advocates/others) throughout the state – virtually, online and/or in person - and provide technical assistance (TA)/advocacy clinics, reaching 50,000 people with assistance and resources to identify and obtain the supports and services that will help people with intellectual/developmental disabilities live a safer and healthier life.

3.2

The Council will engage in 100 projects and events in the areas of employment, education, housing, health/safety, and/or emerging issues, reaching 25,000 people (family/self-advocates/others) with information and resources to enhance their knowledge and increase their capacity to obtain supports and services that are important to them.

3.3

In order to reduce the disparities in obtaining a free, appropriate public education, the Council will work with 5,000 Spanish-speaking family/self-advocates throughout the state to advocate for and increase the number and type/quality of special education services they receive through their own local education agencies.

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 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, interdependence 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.



SCDD Bill Idea Form 2022

SCDD is developing our Legislative Priorities for 2022. We welcome your bill ideas that will make the lives of people with intellectual and developmental disabilities better. As you consider policies that make positive, life-altering change for people with I/DD, think of ways to improve education, housing, transportation and health policies.

- ✓ For ideas of what to suggest, you can review SCDD's approved [Policy Priorities](#) for 2022 or the [Bills SCDD has Supported this Past Year](#)
- ✓ Input from your Regional Advisory Committee during a meeting or via email is highly recommended

BILL RESEARCH AND DEVELOPMENT TIMELINE

SEPTEMBER

- The Legislative and Public Policy Committee (LPPC) meets:
 - ✓ To discuss Councilmember priorities and proposals
 - ✓ LPPC staff will present proposals that are ready for consideration and gather other proposals from LPPC members
- Gather bill ideas, research possible solutions, and have initial, broad conversations with legislative staff

OCTOBER

- Continue to research possible solutions, begin the process of developing official legislative proposal drafts, have more specific conversations with legislative staff, begin creating coalitions of supporting organizations

NOVEMBER

- Research will conclude and drafts of proposals will be finalized

NOVEMBER-FEBRUARY

- Council-approved bill ideas will be circulated to Legislators for authorship

Bills will be introduced by the 3rd week in February in order to be considered in the 2022 legislative session



1. Today's Date: _____

2. County: _____

3. Contact Information

Name: _____

Phone Number: _____

Email: _____

4. What Problem Do You Hope to Solve?

5. What Is Your Solution to That Problem?

6. Do You Know If This Idea Has Been Introduced as a Bill Before?

7. Has the Council Discussed This Topic in The Past?



8. Do You Know Who Might Oppose Your Idea?

9. Do You Know Who Might Support Your Idea?

10. Do You Have Any Additional Information to Help Us Learn More About This Issue?

Once you have completed this worksheet to the best of your ability, please email this completed worksheet to scdd@scdd.ca.gov or mail it to:

State Council on Developmental Disabilities

Attention: Legislative and Public Policy Department

3831 North Freeway Blvd., Suite 125

Sacramento, CA 95834

September 9, 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. May Council Meeting Summary
- b. DDS Taskforce and Workgroup ([Updates](#))
- c. Self-Determination Program ([Implementation Updates](#))
- d. CalABLE ([Updates](#))

Attachment(s)

None.

Handout(s)

Could be additional handout(s) day of meeting.

September 9, 2021

**AGENDA ITEM 10.
INFORMATIONAL ITEM**

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – LPPC

Member Updates

The goal of this agenda item is to allow Committee members time to provide local updates from their community on policy related issues not included in the agenda.

Attachment(s)

None.

Handout(s)

Could be additional handout(s) day of meeting.