**Texas Governor’s Committee on People with Disabilities**

**QUARTERLY MEETING MINUTES**

April 25th & 26th 2024

Thursday 8:30 a.m. – 5:00 p.m.

Friday 8:30 a.m. – 12:30 p.m.

Region 16 Education Service Center

5800 S. Bell Street

Amarillo, TX 79109

**April 25, 2024**

1. Ellen Bauman, Co-Chair Called the meeting to order at 8:35 am

**Roll Call Introductions** –

**Members present**: Ellen Bauman, Kristie Orr, Neva Fairchild, Evelyn Cano, Eric Lindsay, Benjamin Willis, Lauren Taylor, Kori Allen, Emma Faye Rudkin, Joseph Muniz, Richard Martinez, Elyse Lieberman

**ExOfficio Representatives:** Clair Benitez, Brock Boudreaux, Claudia Peden, Kristin McGuire, Marsha Godeaux

**Guests**: Julie Granger, Joe Rogers, Chelsie Haney, Pamela Ware, Max Dunlap, Georgianna Newburg, Victoria Gonzales, Jeneé Land, Richard Taylor, Mayor Cole Stanley, Diane Arevalo, Carmen Estrada, Amber Hardie, Isabel Camarillo, Cherrie Miller, Jenee Land, Cathy Lieknus

1. **Welcoming Remarks - Mayor Cole Stanley** thanked the GCPD for coming to Amarillo for the meeting. Ms. Bauman presented the Mayor with the Texas flag and presented a Proclamation from the Governor.
2. **Approval of Committee Member** **Absences as Submitted** (*Discussion/Possible Action*) Ms. Fairchild motioned for a vote to approve. Seconded by Ms. Orr. Absence forms approved unanimously for Eric Lindsay and Ben Willis for Friday, April 26, 2024.
3. **Approval of Summary Minutes for January 25-26, 2024** (*Discussion/Possible Action*) Mr. Lindsay moved to vote to approve the minutes. Ms. Orr seconded. Unanimously approved.
4. **Listening to the Amarillo Disability Community**
   1. **Panhandle Independent Living Center – Carmen Estrada**

Ms. Estrada shared recent achievements of PILC, whose mission is to support people with disabilities in achieving independence. PILC received the Aging Disability Vaccination Collaborative Grant to facilitate COVID-19 and flu vaccinations, including transportation and educational resources, covering a 26,000 square mile area with the help of partners Amarillo Public Health and United Supermarkets. Creative strategies, such as themed clinics with incentives (handing out Lifesaver candy), and in-home vaccinations addressed transportation barriers. This initiative led to increased community outreach and referrals to the Independent Living Services (ILS) program, including services for veterans. Challenges included the vast rural area and vaccine hesitancy. Lessons learned were a focus on the importance of health literacy and mobile clinics. A new project, "Beacons of Excellence Empowering Abilities & Unlocking Potential," by collaboration with the Texas Panhandle Coalition, and funded by a $13.3 million grant to transition people with disabilities to competitive employment is on the horizon. Ms. Estrada also supports SB 1264 (88R), relating to the issuance of disabled parking placards to certain day activity and health services facilities that transport persons with a disability. This would allow access to accessible public spaces for the facility van and enhance safety of passengers with disabilities. Ms. Bauman and Mr. Lucey expressed the GCPD’s support for this legislation and its potential impact.

* 1. **Amarillo Advisory Committee for People with Disabilities** – Chris Quigley **CANCELLED**
  2. **Amarillo Office of Emergency Management – Max Dunlap**

Mr. Dunlap is the Director of Emergency Management for the cities of Canyon and Amarillo, and Potter and Randall counties. He highlighted their office’s services, focusing on key areas: public education and outreach, training programs, hazard mitigation, operational planning, emergency shelter coordination, and volunteer management. Mr. Dunlap emphasized that effective local response begins with individuals being prepared. Hazard mitigation and prevention are connected in the phases of emergency management. Volunteer management is something Mr. Dunlap is proud of and emphasized the importance of partnerships in shelter management and the integration of volunteer management into their operations, particularly through the FEMA-supported Community Emergency Response Team (CERT) program. This program equips individuals with the skills to handle emergencies protecting themselves, neighbors, and families, until professional responders arrive. The Office of Emergency Management follows the phases of emergency management: preparedness, response, recovery, mitigation, and focuses on accessibility, ensuring services are available 24/7 while engaging with the community in multiple ways, including social media. They include people with disabilities in emergency drills and training. Ms. Fairchild encouraged Mr. Dunlap to include people with “lived experience” in the practice drills. Mr. Lucey asked what lessons were learned from the recent regional fires. Mr. Dunlap said the biggest lesson was to “pull the trigger on evacuations early,” to brief the judge and mayor so the evacuation order can be signed immediately. Overall, the office strives for comprehensive emergency preparedness and response, prioritizing collaboration, community service, and continuous improvement.Top of Form

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1. **Public Comment**

**Helene Murphy**, **Vice President Stakeholder** and Outreach for ABA Centers of Texas, discussed the challenges with getting Applied Behavioral Analysis (ABA) providers into Texas schools to support children with autism spectrum diagnoses. Despite offering these services at no cost to schools, many ISDs, including Dallas, Arlington, and Houston, are hesitant to permit outside providers to collaborate and provide in-school support. Ms. Murphy emphasized the benefits of having Registered Behavioral Technicians (RBTs) and Board-Certified Behavior Analysts (BCBAs) work with students for continuity of care between school, home, and community services. Ms. Murphy asked the GCPD for a follow-up conversation with the Texas Education Agency (TEA) to explore potential pathways for integrating ABA services into schools. Evelyn Cano asked questions about confidentiality, proof of need, and service duration, highlighting that ISDs often believe they can manage without external support. Ms. Murphy confirmed these issues and emphasized the need for collaboration to optimize resource use and support for students. Kristin McGuire, TEA, added that districts are responsible for free appropriate public education (FAPE) and that existing policies might restrict private providers. The GCPD agreed to consider these issues further, hoping to develop a policy that facilitates integration of ABA services into schools while maintaining compliance and resource efficiency. A challenge is that in many districts, the IEP team tries to discourage the ABA from working with the ISD staff, which may be related to a fear of policy violation. Ms. Murphy emphasized that ABA staff does not remove students from the classroom. They are there to sit next to the student and provide support and help manage behavior with no desire to interfere with academics. Top of FormBottom of Form

**Julie Granger,** representing the nonprofit, Sister Bear Foundation, discussed the challenges faced by individuals with neurological injuries or illnesses, particularly in accessing neurorehabilitation services in the Amarillo, Texas area. The Foundation, established in 2020, has a goal to provide neurological hope and independence through neuro-rehabilitation resources, having awarded over $70,000 in grants for therapy and independence aids. Ms. Granger’s personal experience, from her daughter's disability after a car accident, revealed the lack of local neurorehabilitation resources in the Panhandle, necessitating travel to Dallas-Fort Worth. Ms. Granger seeks collaboration with local health services and institutions like Texas Tech to establish comprehensive neuro-rehabilitation services locally. Additionally, she raised concerns about emergency preparedness for individuals with disabilities, mentioning her daughter's reliance on strangers during a fire drill. Ms. Granger expressed a desire to continue discussions and participate in future meetings to address these issues, focusing on accessibility and resources.

**Jenee Land,** **owner of 512 Terps in Lubbock, Texas**, discussed concerns regarding interpreting services for the deaf and hard of hearing. She highlighted several issues. First, Interpreter state rates have not changed since 2015. Interpreters are seeking higher hourly rates. Ms. Land asked the Committee to move this along for consideration. Another issue is a need for stronger investment in recruiting and retaining interpreters in West Texas. A third issue is limitations with BEI testing. Currently, testing is only available in Austin, forcing interpreters from West Texas to travel and take off work which is costly. More testing sites and reimbursement for travel are needed. The Interpreter Training Program is facing reduction in students. There are four-year programs in Big Springs and at Texas Tech in Lubbock, but more scholarships and post-graduation support such as scholarships could give more opportunity to students. The lag time right after graduation sometimes results in students dropping their pursuit of credentials. Support is needed to prevent students from leaving the field before certification. The discussion reviewed the possibility of provisional certifications to bridge the gap between graduation and full certification. Suggestions included adding more testing sites, providing mentoring opportunities, and establishing partnerships with local school districts for internships. Ms. Rudkin noted that San Antonio College facilitates such partnerships. Mr. Lucey addressed the Board for Evaluation of Interpreters (BEI) report in the HHSC’s report from Ms. Benetiz and recommended the committee ask for a detailed update on how to streamline BEI.

**Richard Taylor**, resident of Amarillo, spoke about mental illness/behavioral health. He has 20 years’ experience with advocacy and peer support adding that in the Panhandle area, medical facilities are great but the protocols and procedures they must follow do not coordinate well with the public agencies’ services. The needs of individuals with mental health disabilities are hard for medical professionals to understand and there is no ombudsman to bridge the gaps. Mr. Taylor suggested that nonmedical private and grant funded public facilities, figure out how to change the culture so there is a process for addressing complaints and any service issues in the Amarillo area.

**Carla Hughes**, President and Executive Director of ADVO, a nonprofit organization in Amarillo, highlighted the organization's efforts and challenges. ADVO operates 27 group homes and a vocational program for people with intellectual and developmental disabilities (IDD), serving around 178 individuals. Ms. Hughes discussed ADVO’s **Hope Village Project**, a two-complex retail space with six nonprofit businesses. The project’s goal is to provide on-the-job training to individuals in the vocational program, helping them transition to community job placements. Challenges presented by Ms. Hughes include gaps in training, support staff pay, and staff shortage. The vocational training in their current workshop does not prepare individuals for real-world interactions, such as handling disputes. Hope Village will provide comprehensive community training. Ms. Hughes emphasized the critical need for better pay for direct support staff and highlighted the dedication of her staff and expressed frustration at the lack of state support. A third challenge is a staff shortage, resulting in overworked employees who often work 18-to-20-hour shifts. Ms. Hughes asked for continued advocacy to improve wages and support for staff, stressing the need for legislative action. Vice Chair Bauman expressed the committee members’ empathy and encouraged continued advocacy, so that legislators hear these stories to drive change.

**Diane Arvelo** – ALS Association and former Texas State Representative, addressed the issues resulting from the lengthy application process for the STAP Program. The ALS Association provides extensive support beyond their clinics, including family workshops and support groups. Since 2020, they have offered over $6 million in medical aid at no cost. In January, discussions were held to improve the processing time and accountability for ALS patients and staff, as state approval for necessary services can take up to nine months instead of the promised eight to ten weeks. This delay has led to tragic outcomes, with 40 ALS patients dying before receiving their needed devices. Research shows that 45% of ALS patients need communication devices, with 25% paying an average of $1,200 out of pocket due to gaps in insurance. Additionally, 27% of ALS patients and caregivers reported being denied authorization for these devices. Addressing this issue as a policy recommendation could significantly enhance the quality of life for ALS patients and their caregivers and save lives. Ms. Arvelo announced a May 16th ALS Round Table Discussion at The Capitol. GCPD staff will plan to attend.

**Ms. Jessica Roth,** mother of a University of Texas at Austin student, who is a power wheelchair user, addressed the lack of safe evacuations of campus buildings for w/c users. For example, dorms, eating areas, and classrooms are not on the ground level and, there are no plans for staff to help students out of buildings. Students are told to wait by elevators in case of a fire which brings another problem when sprinklers go off, making the power chair non-functional. Ms. Roth is asking for the state to purchase evacuation chairs for all schools, colleges, and government buildings and help building managers to have a real safety plan that is practiced on a regular basis. Ms. Roth said, “let’s don’t wait for a tragedy to happen.” She cited lived experience when her son was in Lewisville ISD and the fire department provided evacuation chairs and trained staff how to use them. She noted that getting evacuation chairs in place is a real option but UT refuses to do so. Ms. Roth noted that UT housing buildings are not ADA compliant in bathroom and hallway accessibility. Another issue is the lack of enough caregivers due to the low wage’s crisis. Mr. Lucey said the price of an evacuation chair is $300 which seems plausible for college campus residence halls/dorms. Ms. Godeaux, TDLR, suggested the Fire Marshall or Code or NFPA may be the right place to remedy the issue. She asked for contact information and will work to come up with a plan. Ms. Orr said this is an issue at Texas A&M University as well and has made notes to look at a policy around evacuation plans on college campuses. Ms. Roth learned that UTSA has one on every floor in every building. GCPD committee members Lauren Taylor and Benjamin Willis volunteered to work on developing policy with Ms. Orr on this issue. Mr. Lucey noted that few architectural barriers complaints are filed with TDLR and encouraged Ms. Roth to file a complaint with TDLR.

**Bob Kafka, ADAPT Texas and the Coalition of Texans with Disabilities**, addressed the critical shortage of community attendants in both group homes and community settings. He emphasized that recommendations should apply uniformly across all Medicaid home and community-based services to avoid creating divisions among groups. Mr. Kafka urged the governor's committee to include this shortage in the healthcare workforce task force initiated by Governor Abbott and suggested including a person with a disability on the task force. He noted that despite efforts, wages were only raised to $10.60, and he advocated for further increases due to the crisis in service delivery. He also mentioned new Medicaid rate rules addressing home and community-based services and stressed the importance of continued unified efforts.

**Denise Sewell**, Ms. Denise Sewell, a mother of a deaf-blind son who has been on the Deaf-Blind with Multiple Disabilities (DBMD) waiver for 15 years, reported significant challenges. Since 2019, her son's service hours have been cut in half, a trend that has persisted. During her son's hospital stays, intervener services were not permitted. Ms. Sewell is trying to plan for her son’s future when she is no longer able to care for him.

**Ariel Bombable,** (signed testimony video)expressed concerns about TSD and administrative decisions that are impacting her daughter’s education, specifically, the provision of interpreters in her class at Baldwin Elementary School. Her daughter has residual hearing and still uses her voice. Ms. Bombable has attended two board meetings and indicated that TSD is not interested in reimplementing the department of interpreters. The administration no longer supports the provision at TSD, and this is a mistake. Without on staff interpreters, her daughter is excluded from educational opportunities. She wants both worlds and thrives in both. Her daughter, Zabriela, likes both schools, she likes reading and challenging academic work.

1. **Texas AgrAbility – Texas A&M Extension Service, Makenzie Thomas,** described the program and how it helps farmers and ranchers with disabilities. Texas AgrAbility is a statewide project, funded by the USDA National Institute of Food and Agriculture, to help farmers and ranchers with disabilities maintain employment. AgrAbility provides farm and ranch assessments, equipment recommendations, and task modifications, working closely with occupational therapists and engineers to ensure safety and prevent secondary injuries. AgrAbility connects clients to resources like vocational rehabilitation and independent living centers. The services are available to farmers, ranchers, their families, and employees, including military veterans transitioning to agriculture. With delays in getting equipment through TWC Vocational Rehabilitation, we strive to support our clients effectively. The goal is to raise awareness about our services.Top of Form Texas agriculture is the 2nd largest industry in Texas, 20 billion annually. 98% are run by individuals or families in Texas, not corporations. Currently, the average age of a farmer is 60, which brings age-related disabilities and an increased risk of work-related injuries. One in five agriculture producers is affected by disability.

Mr. Lucey thanked AgrAbility for their work and asked what help is needed. Ms. Thomas replied they need help with working with TWC Vocational Rehabilitation to get services in a timely manner. The challenges of the state agency system results in serious delays. The Committee asked Claudia Peden to investigate the six-year delay for providing adaptive farming equipment to one of the success cases in Amarillo and report back to GCPD at the next meeting on the reasons for the long delay.

1. **Reports from Invited Ex officio Agency Representatives, includes follow up topics from previous meetings** *(Discussion/Possible Action)*
   1. **Texas Workforce Commission – Claudia Peden**
      1. Presentation on Transition Services and Section 504 for High School Students from Transition Program Manager, **Erin Wilder**

Ms. Peden introduced Erin Wilder, who discussed transition services and 504 services within vocational rehabilitation (VR). Ms. Wilder explained how VR counselors reach 504 students and provide necessary services, such as pre-employment transition services, counseling, and work-based learning. She highlighted the individualized approach to eligibility and services, the importance of building relationships within schools, and various VR programs and initiatives for students with disabilities. Special initiatives are in place to reach foster youth with specifically trained counselors. Questions were raised about the integration of blind or visually impaired students in programs, gaps in 504 student services, and the need for formalized structures. Ms. Peden highlighted additional funding for VR services, enabling full matching of the federal VR grant for fiscal year 2024 which increases the client services budget.

**Mr. Boudreau, Department of Protective Family Services**, provided highlights from the quarterly report. Adult Protective Services is managing a pilot program for adults aged 65 and older with complex needs, which is going well, with considerations for submitting exceptional items. Child Protective Services, in collaboration with the Office of Deaf and Hard of Hearing at HHSC, has developed training to support caregivers and youth in care. The training was offered last month, with more sessions planned for the summer. Ron Lucey inquired about the status of DFPS’ previous commitment to hire a Deaf and Hard of Hearing Services Coordinator for CPS. Mr. Boudreau replied that while they are still trying to secure the FTE, ~~and~~ they have been using existing resources to identify and support youth needing these services. He identified and addressed gaps for five youth not receiving needed services and are continuously working to ensure no youth fall through the cracks. Mr. Boudreau acknowledged the complexity of reallocating existing vacancies due to specific funding streams but is committed to resolving these issues. Mr. Boudreau mentioned staff participation in the Texas Judicial Commission on Mental Health meeting, addressing the issue of releasing 16 and 17-year-olds from jails without connecting them to their parents, which often leads to trafficking. Ms. Rudkin asked to attend CPS worker training sessions, to which Mr. Boudreau agreed to provide advance notice. Ms. Fairchild shared her involvement in an elder abuse research project with Virginia Tech University and asked Mr. Boudreau's assistance in connecting with the appropriate contacts at APS. Mr. Boudreau agreed to make the connection.

* 1. **Texas Education Agency – Kristin McGuire,** TEA, provided key updates. There is a proposal to phase out an eligibility category called noncategorical early childhood, which is currently reserved for those who are three to five years old. For diagnosing hearing loss or deafness, the recommendation is moving toward an ENT (Otolaryngology) physician, rather than an audiologist, for which TEA received overwhelming support. TEA has completed guidelines mandated by House Bill 3 for individuals with disabilities in schools, which must now be integrated into district emergency plans. House Bill 3 also led to the approval of new rules for dyslexia identification and instruction, effective around late June, or early July. TEA has posted their state application for public comment, using last year's budget figures due to pending federal government approval. TEA is also proposing several amendments to commissioner rules, including phasing out the noncategorical early childhood eligibility category in favor of the federal developmental delay category, and changing the term "emotional disturbance" to behavioral disability, to align with IDEA regulations. Ms. McGuire addressed the lack of increased funding for day schools for the deaf, noting that budget adjustments would be required. Discussions about special education funding are anticipated, which could impact these schools. Committee members expressed concern over the stagnant funding for these programs, emphasizing the need for updated technology and resources. Ms. McGuire assured them that TEA would review related budget riders and advocate for necessary changes.
  2. **Health and Human Services Commission**, **Clair** **Benitez,** provided updates within HHSC, including data about programs and services detailed in a chart on page 27. An ombudsman chart was added to guide who to contact for various issues and referrals. The proposed renaming of pre-vocational services and waiver programs to "work readiness" was discussed, with progress made by the IDDS Rec Redesign Advisory Committee (IDDSRAC), which met five times and aims to publish proposed rules by 2025. She reported on Medicaid unwinding eligibility, with reviews to be completed by May 2024 and an Ambassador program to be implemented. The HHSC update page provides more details on these efforts, including a waiver to help recipients with renewal applications and the "money follows the person" programs. A managed care MCO pilot is helping adult Medicaid members with serious mental illness transition to community living, achieving a 70% success rate in maintaining community and social engagement. There was also a report on the DeafBlind family camp in Center Point, Texas, with inquiries about expanding to other cities and the age requirement, which is up to 18 years old. The Office of Acquired Brain Injury is hosting a webinar series for education, and the BEI advisory committee held a meeting in February, with updates on testing and interpreter referral agency practices. Another meeting is scheduled for May 31st. Other news includes an IL program planning a media campaign to raise awareness among Texans, with a rollout planned for early May. Mr. Lucey agreed to help spread the announcement through gov delivery networks. The grant-supported IL service goals include purchasing items like hearing aids, home and vehicle modifications, wheelchairs, scooters, and prosthetics. There were questions about whether the OIB program services at HHSC cover these needs, with the VLOA Summit this summer to include further discussions. The Texas Promoting Independence Plan aims to create pathways for people with disabilities. The Texas Early Learning Strategic Plan for 2024-2026 was highlighted, along with kudos to the state-supported living center program. May is Older Americans Month, with activities like Abilene Golden Karaoke and Austin America Legion Senior Center events. Follow-up from the last meeting included information on Medicaid rates and network adequacy. Feedback mechanisms for network adequacy issues were discussed, with oversight ensuring Medicaid and CHIP service provision.

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* 1. **Texas Department of Licensing and Regulation – Marsha Godeaux**

Ms. Godeaux provided updates on behalf of the Texas Department of Licensing and Regulation (TDLR), noting that Mr. Francis is currently the interim executive director as they continue the search for a permanent one. She highlighted legislative items, including Senate Bill 1001 (88R), which mandates TDLR to regulate charging stations with a December deadline for rule adoption, ensuring accessibility is considered. Additionally, Senate Bill 2304's (88$) rules have been adopted and will soon take effect. The report also details increased human trafficking training, particularly for massage therapy programs. An upcoming training session for the Texas Parks and Wildlife Department in August will address compliance systems. Marsha shared the good news of hiring a summer intern to help with the backlog, focusing on updating accessibility standards. During the discussion, concerns were raised about ensuring electrical charging stations are accessible to people who are blind, especially considering the future of self-driving cars. Marsha confirmed that accessibility considerations are being addressed and that guidelines were provided in July 2023, though progress has been slow. She emphasized their hope to set a gold standard for accessibility.

1. **Aira - An App that Connects Blind and Low Vision Individuals with Certified Visual Interpreters**

Marty Watts and Everette Bacon, representatives from Aira, explained their visual interpreting service for the blind and low vision community. Aira connects users with live human visual interpreters through their smartphone app, providing assistance with tasks such as navigation and reading documents. The Aira navigation tool expands opportunities for accessibility in a variety of public settings, such as airports, city parks, public transit, government buildings, and college campuses. There was a comment comparing another app for people who are blind or have low vision, Navi Lens, which does not have a human visual interpreter on the call with the user in real time. A few people in the meeting with lived experience indicated that the real time interpreter service on the app makes a strong positive impact on navigating public spaces. Aira proposed eight policy recommendations to the Texas legislature, including making state websites accessible and incorporating Aira into state programs. Here is the list of their recommendations.

1. Provide access to Aira to enhance accessibility of all state-owned websites.
2. Provide access to Aira in all 48 state buildings.
3. Provide access to Aira to enhance accessibility in all 89 state parks.
4. Provide access to Aira to enhance accessibility in all 75 Texas transit agencies.
5. Provide access to Aira to enhance accessibility in all 45 Texas University System campuses.
6. Provide access to Aira as accommodation for any state employee who is Blind or Low Vision.
7. Provide access to Aira to enhance accessibility for OIB (Older Individuals who are Blind) Program with TWC.
8. Provide access to Aira to enhance accessibility for people who are Deaf-Blind

There was lengthy discussion by the Committee about Aira’s funding proposal. Topics included language and accessibility, procurement and legal issues, vendor concerns, transportation challenges, funding, and agency responsibilities. The Committeeagreed that while Aira is a valuable tool, the proposal needs further review and information gathering by staff before a decision is made. Ms. Fairchild motioned to have staff research and further refine the policy proposal, considering cost, inclusivity, procurement processes, and the potential need for multiple solutions compared to endorsing a single vendor. Dr. Lieberman seconded the motion.

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**Support for Policies to Promote Rural Accessible Transportation and Interlocal/Regional Transportation Planning –** Southwest Transit (SWART), Sarah Hidalgo-Cook, Transit Director provided an overview of SWART community transportation services in the Middle Rio Grande Region, covering Dimmit, Edwards, Kinney, LaSalle, Maverick, Real, Uvalde, and Zavala counties. She highlighted physical barriers to transportation such as unpaved roads and mud, which complicate people’s transportation to timely medical appointments. She pointed out that some patients/riders lack knowledge of how to use public transportation and home modifications like ramps. The program has limited resources and very few drivers due to being rural and not having a tax base like metropolitan authority. Mr. Martinez mentioned he has made multiple attempts to reach TXDOT to review their provision of resources to providers like SWART. These attempts were futile. Mr. Martinez asked for GCPD staff assistance in contacting TXDOT to gather recommendations from the rural population.

**10. Executive Director Report and GCPD Subcommittee Reports**

* 1. GCPD Staff Activities – Ron Lucey
  2. Diabetes Subcommittee – Rebecca Lopez/Evelyn Cano
     1. Student with Diabetes Bill of Rights
  3. Transportation Subcommittee – Richard Martinez/Evelyn Cano
     1. Report on Texas Transit Association Annual Conference and Expo
  4. Braille Literacy Subcommittee – Neva Fairchild
  5. Adaptive Sports and Recreation – Ron Lucey

Mr. Lucey thanked the Committee for completing the 89th Session Priorities Policy survey, which will result in priority decisions for 16 policies. He emphasized the need for efficient, focused procedures moving forward. Mr. Lucey acknowledged the staff's efforts over a busy month and discussed ongoing commitments, including criminal justice and fair housing initiatives. Highlights included participation in the Texas Workforce Commission's panel on accessibility and fair housing, discussing issues like service and emotional support animals in rental housing. Mr. Lucey mentioned efforts to revive local mayor’s committees, and enhancement of policy focus as we prepare for the 89th Legislative Session. Updates included the Texas Diabetes Council's upcoming vote on employee training guidelines developed with various experts. An adaptive recreation subcommittee, led by Eric Lindsay, has been productive, planning to survey elementary schools to assess and address funding needs for inclusive play facilities for children with disabilities. Top of Form

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2. **Policy Recommendations from Public Comment, Policy Discussions, and Meetings**

A discussion about using intervenors in schools for students with Autism occurred and the issue of unqualified staff working to provide services in school is inappropriate. Dr. Lieberman suggested that districts should offer in-service training days for paraprofessionals and require credentialing, with incentives for teachers to complete it. Mr. Lucey recommended collaborating with the Texas School for the Blind and Visually Impaired (TSBVI) outreach department and the Deaf-Blind Multihandicapped Association of Texas (DBMAT). Dr. Lieberman mentioned California's use of interveners for autism and proposed investigating this, noting Texas's 2,500 deaf-blind individuals needing services. Ms. Fairchild added that the Academy for Certification of Vision Educators and Rehabilitation Professionals (ACVRP) is considering certifying interveners with minimum standards and highlighted the importance of not using untrained and unqualified personnel.

Ms. Lopez reported results from the 89th Session Priorities Survey, noting that recommendations from the March 27th meeting were tabled due to time constraints.

**The meeting was recessed at 5:00 by Vice Chair Ellen Bauman.**

**April 26, 2024**

1. **Reconvene –** Vice Chair Ellen Bauman called to order at 8:31 am

**Roll Call:** Joseph Muniz, Emma Faye Rudkin, Richard Martinez,

Kori Allen, Ellen Bauman, Neva Fairchild, Kristie Orr, Evelyn Cano

**Absent:** Eric Lindsay, Benjamin Willis, Lauren Taylor

Absence approved.

**Guests:** Kathleen Kadair, Kathryn Granger, Joe Rogers, Cathy Likers, Amber Hardie, Myra Johnson, Kaitlyn Foreman, Julie Taylor

1. **Public Comment**

**Myra Johnson,** private citizen**,** commented on a current barrier for students with disabilities in public schools.Texas public kindergarten has limited pathways for students. She noted that pathways include students who are unable to speak comprehensive English, are disadvantaged, homeless, in foster care, children of active-duty military, or Texas Star children. However, students with disabilities eligible for Early Childhood Special Education (ECSE) services often do not qualify for pre-kindergarten (pre-k) programs unless they meet one of these specific pathways. This creates a barrier to the least restrictive environments (LRE) for students with disabilities who need minimal support. Johnson proposed a policy change to amend the Texas Education Code 29.153 B to include additional eligibility pathways for students with disabilities to access general pre-kindergarten. Vice Chair Bauman thanked Ms. Johnson for providing both the issue and a potential solution.

**Kathleen Kadair**, private citizen, addressed the committee on behalf of her sister, detailing a decade-long struggle involving guardianship, allegations of abuse, and legal battles. Despite evidence of abuse, the judge dismissed the case, viewing it as a private settlement matter. There are serious concerns with court appointed guardianship, for which Ms. Kadair has a lot of frustration, as she is not permitted to visit her sister. She has not seen her in three years. The committee acknowledged the complexities of the case, including the financial burdens of challenging the guardianship. GCPD members discussed potential avenues for support, including reaching out to advocacy organizations and exploring the possibility of challenging the current guardianship. Ms. Kadair expressed frustration over the lack of justice and the continued control of Patricia’s alleged abusive husband. The committee showed support to share the story, to follow up on the judicial complaint, and assist in finding additional resources and legal support. Ms. Cano suggested providing public comment at a Disability Rights Texas board meeting, which may potentially lead to further action; she recommended Ms. Kadair search for a pro-bono attorney. The need for better advocacy and legislative measures to prevent such situations in the future was emphasized. Committee members also discussed the possibility of challenging Patricia's guardianship and highlighted the importance of telling her story to reach the right audience.

**Julie Granger** provided public comment to addressed parking problems at apartment complexes. She expressed frustration over her daughter's difficulties accessing her apartment due to parking misuse by neighbors and visitors to the complex. This led Ms. Granger to volunteer for the police department's accessible parking patrol. While patrolling, she noticed a significant issue with illegal parking in accessible spaces, prompting her to seek help in launching a local awareness campaign. Ron Lucey mentioned a "Save the Space" campaign in Colorado and potential future collaboration. The Committee discussed issues like modified and expired placards being a huge problem, the enforcement of parking regulations, and the role of various agencies in ensuring compliance. Ms. Granger sought advice on how to address missing signage issues. The Committee made recommendations to involve the Texas Department of Licensing and Regulation and HUD for resolution.

**Kathryn Granger**, college student and wheelchair user, discussed the need for improved accessible parking. She expressed frustration with the current state of accessible parking, noting that placards seem to be given out too easily which removes needed parking spaces for people who drive modified vans with wheelchair lifts. She emphasized the need for designated wheelchair-accessible spots with ample space to enter and exit the vehicle. Mr. Lucy acknowledged the issue but noted the difficulty in addressing it through policy, as smaller businesses might only have one accessible spot, which could be used by anyone with a placard. The Committee encouraged Ms. Granger to consider applying for roles within the governor's committee and other boards to help address such issues.

**Linda Litsinger, Texas Parent to Parent** – provided public comment relating how she lost an attendant due to wages too low for personal care attendants. Linda addressed concerns about course withdrawals in higher education due to various challenges faced by families, including unexpected medical emergencies and delays in Medicaid renewals affecting services. She also highlighted frustrations with accessible parking, suggesting wider spaces be further from entrances for those needing extensive accessibility. In response to questions, she explained the process for Medicaid renewals, detailing assessments, and bureaucratic hurdles, causing delays in payments and affecting attendants' livelihoods. Linda emphasized the critical need for smoother processes to support vulnerable populations reliant on these services.

**Julie Taylor** – TX Panhandle Centers, provided public comment highlighting the issues with people with IDD who are incarcerated: lack of programs in the schools with dual diagnosis, lack of mental health care, medication assistance, community education. Ms. Taylor suggested mobile programs to help address these problems. Prevention and education are needed to divert individuals with IDD from jail, there is high need to work with the population in jail who do not belong there. Jail staff do not have the training or skills to work with these individuals and there needs to be more focus on the right programming. In the next meeting announcement for the Texas Commission on Jail Standards' IDD subcommittee, it is noted the subcommittee is led by representatives from large rural areas, including sheriffs who cover rural jurisdictions and one who has a child with IDD, improving the members understanding of the issues at hand. The subcommittee is tasked with writing a report to the legislature to address these concerns. In rural areas, there often is no alternative placement for individuals during a 911 call, leading to the practice of placing people with IDD in jail. Action items include asking Ms. Benetiz if HSSC can provide standards to rural areas to bring about solutions like mobile services.

**Carmen Estrada,** speaking as a citizen with a disability,commented on the lack ofaccessible parking. Ms. Estrada explained the unpredictability of her mobility daily and the need for accessible parking in the community. As a staff member of the PILC, she drives their van with members of the non-residential facility to community locations. There is a strong need for an accessible placard to be used by non-residential facilities, specifically, PILC. Ms. Estrada seeks help in getting adequate accessible parking spaces for all the CILS. Mr. Lucey informed her that this proposal is in our bi-annual report and the GCPD needs to partner with Ms. Estrada. Mr. Lucey recommended she work with her state senator to file a Bill and encouraged her to provide resource testimony at the 89th Legislative Session. Voices in the community are always needed to ask elected officials to file a Bill. Mr. Lucey added that the GCPD can provide resource testimony in support.

**Nico Nelson** presented on behalf of Texas Partners for Inclusive Access (TPIA) to the Governor's Committee. TPIA is a collaboration aimed at ensuring that communities meet the unique needs of individuals with disabilities and their families by providing resources and addressing potential public health problems. The presentation included an executive summary of a survey conducted from June to December 2021, which gathered responses from 2,134 individuals with disabilities and caregivers. The survey aimed to understand health issues, perceptions, and experiences related to vaccines, identify the needs of disabled individuals, and uncover barriers to vaccination. Key topics included accessibility of transportation, web content, health centers, and technology use. The final report with results, recommendations, and policy proposals will be presented at the next quarterly meeting. The survey findings have also been submitted to academic journals for publication. Mr. Lucey said this will bring actionable policy recommendations to the July meeting.

**Eric Newlin –** A citizen of Mansfield, Texas, whose adult child has used a wheelchair his entire life, faced a parking issue in December due to violations of accessible parking. Despite his efforts to get the violator fined, the local police were instructed not to issue fines for such violations in Tarrant County due to a judicial interpretation of changes to Parking Laws in the Texas Transportation Code brought by SB 904 (88R). Mr. Newlin has been advocating for change with the City of Mansfield, which has now adopted compliance changes that align with Texas state standards, but the broader issue remains unresolved. Mr. Lucey inquired about changes to the access aisle markings, suggesting they should clearly indicate "No Parking" with the international access symbol. Mr. Newlin mentioned that these regulations are not being correctly interpreted and enforced. Mr. Lucey recommended contacting Senator Drew Springer’s office, as Springer has filed a bill to address issues like motorcycles parking in access aisles and other unintended consequences.

1. **GCPD Policy Development and Discussion** 
   1. Update on six course withdrawal limits for college students.

Currently, this is not on the Committee’s Priority Recommendation list.

There was discussion about the challenges students face going through the appeals process and that there is limited awareness that appealing is an option. Working with the Disability Services offices on campuses will enhance the completion of the appeal process. The Committee requested assistance from the Higher Education Coordinating Board and will develop a statement for a proposed rule to present once it is posted to the Texas Register at the beginning of the rulemaking process.

Dr. Lieberman motioned to move forward to adopt a statement to ask the Higher Education Coordinating Board for streamlining the appeals process for students with disabilities. Ms. Orr seconded. Motion passed.

* 1. Changes to Deaf and Blind Tuition Waiver Requirements

To change Texas Education Code 54.364. The sections that need change are:

b1) Certification that the person is a blind person or a deaf person by the Department of Assistive and Rehabilitative Services.

b4) a letter of recommendation from the principal of the high school attended by the deaf or blind individual, a public official, or some other responsible person who knows the deaf or blind individual and is willing to serve as a reference.

**Proposed changes:**

1. Update sections referring to DARS with correct agency information (TWC, HHSC).
2. Remove the letter of recommendation requirement.

Ms. Fairchild motioned to move forward to make these changes to the tuition waiver for DeafBlind. Dr. Lieberman seconded.

1. **GCPD Policy Recommendations to the 89th Legislature – Bringing the Committee’s Recommendations Forward to the 89th Session** *(Discussion/Possible Action)*

The Committee discussed 13 of the remaining policy recommendations. Mr. Lucey stated that the remaining portion of the Committee Policy Review needs to be completed via virtual meeting in May. The following is a summary of decisions made for which policies to table, retain, or retire.

**01.07** – Require that a person or business that sells or provides a certificate, identification, tag, vest, leash, or harness for an emotional support animal must provide a written notice to the buyer or recipient on applicable laws and penalties for misrepresenting the animal as a service animal. Ms. Cano motioned to keep it tabled. Ms. Fairchild seconded. No objection, motion passed.

**08.01** Adaptive Recreation Subcommittee developed a recommendation for funds appropriated for accessible playgrounds. The TEA Commissioner will distribute funds to school districts using a needs-based criteria to ensure that 10 percent of primary school playgrounds are accessible in each district. TEA shall reach a goal of having 100 percent accessible playscapes over the next ten years according to 2012 Texans accessibility standards. GCPD supports a rider or additional funding by TEA for this policy recommendation. School districts should be encouraged to access other funding for these projects including through partnerships with municipal parks and recreation departments, private foundations, and state and federal grants. Local Education Agencies (LEAs) and TEA can work with TDLR Architectural Barriers Program Technical Support on these projects. GCPD supports a grant program through the Texas Parks and Wildlife Dept. for construction or reconstruction of inclusive playscapes. Funding should come from the sporting goods sales tax. Ms. Fairchild motioned to approve. Seconded by Dr. Lieberman. Approved.

**02.05** To establish requirements for certified medical interpreters that are like court interpreters. There have not been new developments on this policy recommendation. This will remain tabled.

**02.06** The Department of State Health Services with the HSSC should continue to strengthen processes to improve coordination of critical public health information. The work group TPIA is working on inclusive public health. This recommendation was made by Ms. Rudkin. Mr. Lucey indicated the staff will still champion this issue. Ms. Rudkin motioned to retire. Ms. Orr seconded. Retired.

**03.01** Allowing teachers who teach children who use sign language to obtain credentials with specific tests. The Committee decided to pass over this recommendation and save it for the upcoming work session.

**03.08** School districts developing recruitment strategies for interpreters that best fit the local community. Not necessary to go to the Legislature.

Dr. Lieberman motioned to retire. Ms. Cano seconded. Retired.

**03.09** Amend Texas Education Code to determine whether an adult student can provide informed consent for their educational program.

Ms. Cano motioned to retain. Dr. Lieberman seconded. Retained.

**03.15.1** Transition services for Section 504 students to provide safeguards to make sure they learn about vocational rehabilitation after high school. Dr. Lieberman motioned to retain. Ms. Orr seconded. Retained.

**03.16** Amend Texas Education Code Section 21.054 to expand the reading literacy academies to include additional educators in grade 4 and higher. This was Dr. Lieberman’s recommendation; she made a motion to retire. Ms. Orr seconded. Retired.

**05.03** Expansion of direct hire staffing services under the State use Program to be offered to state agency customers. Ms. Fairchild motioned to retain. Ms. Orr seconded. Retained.

**05.04** Enhance accountability for program usage and better training about State use Temporary Staffing Services Program through WorkQuest. Dr. Lieberman motioned to retain. Ms. Orr seconded. Retained.

**06.01** increased number of slots available to be served by the Deaf Blind with Multiple Disabilities (DBMD) Waiver by 200 for the next biennium. Dr. Lieberman motioned to retain and increasing to 225 slots. Seconded by Ms. Fairchild.

**06.02** Fund a substantial increase in community attendant care wages competitive with prevailing market wages to attract and retain PCAs covered by state Medicaid waiver programs. The legislature should develop a methodology for periodic rate increases based on cost of living. Ms. Fairchild motioned to retain but also increase the cap to a level commensurate with service levels before the 85th Legislative Session. Seconded by Dr. Lieberman. Retained. This is the number one policy recommendation.

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1. **Future Agenda Items and Meeting** (*Discussion/Possible Action*)

College Station was proposed for the July meeting. Ms. Cano motioned to vote, Ms. Orr seconded, no opposition. The July meeting will be in College Station. Mr. Lucey said that the Committee Policy Review will be completed in a virtual meeting in May.

1. Ellen Bauman, Vice-Chair adjourned this meeting at 12:31 pm

**Meeting Follow-up and Action Items**

| **Topic** | **Action** | **Responsible** **Party** |
| --- | --- | --- |
| Complex BEI process  (application processing length) | GCPD committee asked HHSC for a detailed update on how to streamline BEI. | Ron Lucey will email Clair Benitez |
| Support for Amarillo Electric Utility Customers with Disabilities in Disasters | Mr. Lucey will send model from Austin Energy to Matt Dunlap City of Amarillo, Emergency Management | Ron Lucey |
| Neuro-Rehabilitation services in Amarillo panhandle region | Mr. Lucey will contact HHSC to follow up with Julie Granger | Ron Lucey |
|  | Ask Clair Benitez if there are standards for providing mental health support in rural areas with mobile services. There is hope to incentivize those through contracts with HHSC. | Ron Lucey |
| Accessible parking non-compliance | Follow up and connect to Julie Granger with Creighton Root, government relations at the DMV regarding specific examples of non-compliance and/or fraud. | Ron Lucey |
| AgrAbility Program | Add AgrAbility website link to GCPD’s Key Laws and Resources page. Consider a category under employment. Matt Dickens will develop a new employment page under our key laws and resources. | Matt Dickens |
| VR services delay in equipment (chair lift for his tractor) to a farmer in the AgrAbility Program. **In 2018**, AgrAbility assessed needs and recommended modifications to perform work. **Received** equipment for his tractor **2024**. | Ask Ms. Peden, TWC, to conduct a caseload review to determine reasons for the six-year delay for the farmer described in the Agrability presentation to get the adaptive equipment needed for their farming business. The case review should drive VR policy reforms with similar cases. | Ron Lucey and Claudia Peden |
| Appeals process for college students with disabilities requesting additional class drops over maximum of six. | Dr. Lieberman motioned to move forward to provide a statement via public comment to the Texas Higher Education Coordinating Board. Ms. Orr seconded, no opposition. | Matt Dickens will follow up with committee members |
| State installing evacuation chairs in colleges, schools, and government buildings. | Lauren Taylor and Benjamin Willis volunteered to work on developing policy with Ms. Orr on this issue. | Ron Lucey to follow up with Willis, Taylor, and Orr. |
| Reducing time to process the STAP applications. The actual time is 9 months. | Communication devices have been denied by insurance. Consider this as a policy recommendation. Meet with Diane Arvelo to work on it. | Rebecca Lopez and Matt Dickens |
| Roadblocks with the ISDs to get the ABA services for Autism. | Mr. Lucey GCPD will invite  HHSC to provide a presentation on its Autism Services Program at a future  Quarterly meeting. | Ron Lucey |
| Provisional certification of ASL interpreters and providing a mentor. | Follow up on how to improve the registration system for BEI. Staff will retain these comments and policy issues for further analysis. | Rebecca Lopez |
| Use of accessible parking placard for non-residential facility (PILC) in Amarillo. | Follow up with Carmen Estrada before November to provide information on past legislative language and GCPD’s bi-annual report. | Rebecca Lopez |
| Accessible parking Volunteer Campaign expansion | Send Julie Granger TDLR Complaint contact for architectural barriers. the volunteer program. Norman Kieke will invite her to present the volunteer parking enforcement program to a local committee’s policy discussion. | Carolyn Saathoff  Norman Kieke |
| Accessible parking GCPD webinar and newsletter signup | Send Julie Granger email with reminder to click link at staff signature to sign up for gov deliveries. | Carolyn Saathoff |
| Accessible parking violations and lack of enforcement | Send Eric Newlin the enforcement number from TDLR. | Ron Lucey |
| People with dual diagnosis in jails. | Send Julie Taylor upcoming meeting dates for both TCJS and TCMH - Texas Commission on Jail Standards – August 1, 2024  Texas Commission on Mental Health meeting September 10, 2024 | Ron Lucey or Carolyn Saathoff |
| Abuse case of family member by spouse and guardianship struggle. | Follow up with Ms. Kadair by Ms. Cano to discuss support/input with Disability Rights Texas Board and with locating pro-bono attorneys. Follow up by Ms. Bauman to discuss guardianship appeals in Texas. | Committee members |
| Elder abuse research project with Virginia Tech University | Ms. Fairchild asked Mr. Boudreau's assistance in connecting with the appropriate contacts at Adult Protective Services. Mr. Boudreau agreed to make the connection. | Neva Fairchild and Brock Boudreau |