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

**SUMMARY MINUTES**

June 6th – 7th, 2023

University of Texas at Tyler

The Ben and Maytee Fisch College of Pharmacy

3218 Old Glory Parkway, Tyler, Texas 75701

Virtual Participation via ZOOM; Meeting Materials Available at: <https://gov.texas.gov/organization/disabilities/committee-meetings>

**Day 1 – June 6, 2023**

**Call to Order/** **Roll Call/** **Introductions** – Ellen Bauman, Vice Chair established quorum and called the meeting to order at 8:16 a.m.

**Members Present**

**In Person:** Ben Willis, Kori Allen, Kristie Orr, Evelyn Cano, Eric Lindsay

**ZOOM**: Elyse Lieberman, Richard Martinez, Joseph Muniz, Emma Faye Rudkin

**Ex-Officio Representatives Present**

Clair Benitez, HHSC; Claudia Peden, TWC; April Pollreisz, SILC; Kristin McGuire, TEA; Marsha Godeaux, TDLR; Jason Steele, DFPS

**Staff Present**

Ron Lucey, Norman Kieke, Rebecca Lopez, Matt Dickens, Carolyn Saathoff

**Visitors Present**

Mayor Don Warren; President Kirk Calhoun, UT Tyler; Kim Hunt; Randi Turner; Amy Evans-Gean; Teresa Dell, Rhonda Eernisse; Daphne Smith; MK Kahrhoff; Megan Arugen; Dennis Kutach; Glenn Neal; Cassie Velasco, Brittany Walters; Chelsea Owens; Kristin Hoyt, Yenter Tu; Cannon Melton; Malcom Ifoezeh

**Welcoming Remarks**

Mayor Warren welcomed the GCPD to Tyler and gave an overall status of the city. Mayor Warren thanked the Committee for coming to the city.

Dr. Kirk Calhoun, President of UT Tyler, thanked us for coming to the UT Tyler campus. He reported on the status of the university. Dr. Calhoun discussed inclusion - stating that everyone at UT Tyler is welcome and the university’s goal is to deliver quality education for every student; improving accessibility. Dr. Calhoun expressed his gratitude to the members of the committee.

**Approval of Committee Member** **Absences as Submitted** (*Discussion/Possible Action*)

No absences

**Approval of Summary Minutes for February 23 - 24, 2023** (*Discussion/Possible Action*)

Vice Chair Bauman asked if there were any changes to the Meeting Minutes draft from February 22 – 23, 2023. Eric Lindsay made a motion to approve the Minutes, seconded by Evelyn Cano. Minutes approved.

**Public Comment**

**Kim Hunt**, Tyler Jr. College, American Sign Language Professor

Kim Hunt discussed multiple issues with interpreters in Tyler, TX. The major interpreter priorities Kim stated are:

1. Medical: Video Remote Interpreting (VRI) is not effective due to lack of stable internet, and it does not always meet deaf/HOH individuals’ needs.
2. Education: there is a need to recruit and retain qualified interpreters because most are leaving the area to obtain work that pays a living wage. Ms. Hunt’s focus is to provide quality graduates because pay in Tyler is sub-par (poverty level); most grads leave this area for jobs in other cities and regions.
3. Employment: The lack of qualified interpreters in east Texas can be remedied by improved pay wages so interpreters will choose to stay in Tyler to work. Due to the lack of local interpreters, the Deaf community must contract out of area interpreters and pay them three to four times the rate of pay in Tyler.

Emma Faye Rudkin described a program modeled by Texas Tech University that involves tuition waivers for Deaf Education majors in which the student is required to stay in the region for two years and work locally after graduation. This could be applied to Interpreter Training Programs.

**Randi Turner** made online public comment about issues for Deaf and Hard of Hearing children with the Texas Department of Family and Protective Services (DFPS). She said the state of Kentucky is making amazing strides with child welfare agencies serving Deaf and Hard of Hearing. They are working with the Commission for the Deaf coordinating highly qualified Interpreters and catching children misidentified at intake by working with their managed care organization. They are working with their state’s School for the Deaf to coordinate opportunities for Deaf adults to mentor children who are Deaf in homes where there are no Deaf individuals. Five years ago, GCPD and DFPS met with four foster families that fostered Deaf children. DFPS made changes which include on-going staff training and policy redevelopment, but full implementation of those changes has not happened. Ms. Turner suggests DFPS could work with the Office for DHH Services to develop training requirements for interpreters who work on DFPS cases. DFPS could require use of those interpreters for assignments as a priority. Federal Law requires placement of child with a family member in CPS conservatorship, even if the family member does not have sign language skills and the child relies on sign language. Therefore, DFPS must ensure communication access for the continuum of services by providing sign language classes for these families. Language deprivation can occur when communication access is not available, and the lifelong impact can be substantial.

**Stefan Cole** – Gilmer, Texas - Advocate for people on the Autism Spectrum. Mr. Cole discussed challenges of getting services in Upshur County. The geographical distance and lack of accommodations for learning disabilities are causing lots of frustration. He said he’s on disability because he cannot get the education to provide for his family and is considering leaving Texas to get appropriate services. Ron Lucey remarked that there are educational services available through Texas Workforce Commission. Ron Lucey invited him to put his contact information in the chat so GCPD staff can contact him to discuss Vocational Rehabilitation services.

**Yenter Tu** introduced himself as a San Antonio Member of the Deaf and Hard of Hearing Community and a Self-Advocate for Deaf and Hard of Hearing people. The San Antonio Police Department has completed a training program aimed at reducing miscommunications with the Deaf and Hard of Hearing community. Mr. Tu has been involved in a program working with VIA Transit Authority in San Antonio that has VRI set up with remote interpreters standing by to assist Deaf and Hard of Hearing individuals with the ticket machines. Mr. Tu also works with the immigrant community of San Antonio through the Disability Access Advocacy Committee in District One. Election voting rights is one of his focus areas.

**Theresa Dell** expressed concern about theTexas Commission for Law Enforcement Training (TCOLE). Under [Course 7887](https://www.tcole.texas.gov/content/interacting-drivers-who-are-deaf-or-hard-hearing), law enforcement personnel are required to take training on effective communication with people who are deaf or hard of hearing. Ms. Dell explained that while a training on Deaf culture is supposed to be provided to law enforcement academies under Section 504, because most experts are Deaf themselves and require an interpreter, many academies do not want to pay the extra expense. Ms. Dell also reported on a lack of follow-up training to ensure the law is being followed. Ms. Dell said she will email the HHSC paperwork offering the resource specialists for training to Matt Dickens.

**Kristen Hoyt** discussed the crucial issue of Deaf children who are not getting any language access and the resulting social, educational, and mental health issues. She is the only hearing person in her family; husband and children are Deaf, and they have fostered to adopt a deaf child. She said this is an emergency as there are kids out there not getting services at all. She and Children with hearing loss are viewed as a low incidence disability population. Abuse of these children is up to four times more likely than to those without disabilities. She says agencies including Child Protective Services, have policies in place, but no one is following the rules. The costs and extra work are the excuses and problem. Language deprivation is causing the kids to suffer. From May 2019 until February 2022, Ms. Hoyt’s family cared for foster children. During that time, CPS did not provide interpreters consistently. She says home visits would occur from CPS caseworkers; they showed up without interpreters, saying there were no instructions or notations in the file for that need. These kids have no voice. They are continuing to be placed in foster homes with families who do not sign or even provide any language. This language deprivation is why the children are behind in school, have trouble as teens, and mental health as adults.

In response to Ms. Hoyt’s testimony, Ron Lucey directed a question to the DFPS Ex-Officio member Jason Steele, filling in for Cheryl Gomez, “In the Texas Family Code, in terms of definition of abuse and neglect, is language deprivation considered a type of neglect? We understand there are long term developmental impacts from language deprivation. If a child is not exposed to language by a certain age, it will have a profound effect on intellectual development and can result in a permanent intellectual disability. We know Texas law places priority on placing a child in conservatorship with a family member, whether language is present.”

Kristen Hoyt replied “yes, I believe it is, I think it’s abuse. That’s my opinion. My daughter at four and a half did not have language and I’ve had kids as old as seven who did not have language that we took care of.” Jason Steele, DFPS will speak during Exofficio report time to address this question.

**Rhonda Earless –** Deaf citizen from Ponder, TX presented a video for public comment.” I want to share with you my experience with VR Counselors in Denton. I’ve had four different VR counselors within one year. That has affected my life personally and mental health. I worked as an independent living advocate for five years in Alaska and helped them work with the Deaf and Blind population. That area was in the dark, they had no idea about Deaf culture and ASL, so I helped with that. Lots of communication barriers. A video meeting happened; I did not feel included. There was a limit to my ability to be involved. Deaf and low vision participants had even more barriers. Watching the video was difficult so we needed the roles of each person noted. It was very hard to focus, communication was not clear. That’s my story, I appreciate you listening.”

**Claudia Peden, TWC** – responded that she made notes from Rhonda’s comments VR counselor experiences and will get with the Denton region to address.

**Cody Clark** – Emailed public comment. He is a home and community-based service HCS program provider for the state of Texas, managing the residential placement and meet medical needs for approximately 130 individuals with intellectual and developmental disabilities. He expressed dismay and strong concern about the pay rate adjustment to $10.60 for personal care attendant workers in Texas. He has made numerous calls to legislators and attended hearings about the HHS issues and the inequity of pay to these workers that continues to put provider agencies at risk for closing. He asked that attendant wages be placed on the special session coming up this summer.

**Action**: To send his detailed email to the governor’s deputy chief of staff for review.

**Listening to the Tyler Disability Community**

* 1. East Texas Center for Independent Living, Amy Evans-Gean, Associate Director

Amy Evans-Gean reported about the function and goals of the East Texas Center for Independent Living (ECTIL). The ECTIL operates under the philosophy of Independent Living. CILS often address urgent unmet needs in the community. ECTIL provides five core services which are Information and Referral, Peer Support, Advocacy, Independent Living Skills Training (ILST), and Transition services to help people transfer out of institutions. Additional services provided are employment services in conjunction with TWC, Recreation, Socialization, Community participation, Health Education, Outreach and Community Partnerships. There are no providers for this program. ECTIL is trying to resolve the issues in the program to get community partners. After Covid and assessing the number of folks who are now lonely from the isolation, ECTIL is developing a Pen Pal program with assisted living residents matched with people who are in facilities. ECTIL is also looking at developing a Refurbish/Re-Use program to increase access to technological equipment and durable medical equipment (DME). Ms. Evans-Gean presented statistics for the region of East Texas that shows 860,000 people have disabilities. Most people with disabilities are under-educated, under-employed, and under-paid. Ms. Evans-Gean summarized East Texas issues here:

* In East Texas there is limited access to programs with accessible residential buildings or assistive technology.
	+ Ms. Evan-Geans suggests new builders seek input from IL Centers and local experts in the field. She further suggests the need for education pertaining to accessibility.
* ECTIL would like to see a more universal approach to how disability services are provided with Federal and State language aligned in how those services are provided, counted, and captured.
* East Texas has limitations with internet connectivity.
* The shortage of qualified ASL interpreters is a problem that ECTIL would like to see increased support for via tuition reimbursement for students in interpreter training programs.
* ETCIL supports increased access to assistive technology and improvement in educational opportunities for students with disabilities. Students do not have preparation for college or certification programs.
	+ ECTIL suggest accomplishing this through evidence-informed transition service models and recommends transition services start earlier than age 14 and include parent education and resources.
* Employment of People with Disabilities is behind with limited opportunities for growth. There are high discrepancies in pay for someone with disabilities vs. someone without disabilities.
* There are 200,000 Texans waiting on Medicaid waivers.
* Tyler is booming economically but housing is not affordable. Only 3% of apartments are $501 - $700 per month. ETCIL supports a roommate matching program with a support staff on the property.
* The Disability Issue Review Board (DIRB) dissolved due to a lack of availability from leadership at the East Texas Center for Independent Living (ETCIL) to provide support. The ETCIL learned that you must be a resident of Tyler to serve on the DIRB. Currently, two members in leadership do not reside in Tyler.
* There is no public transportation on holidays, Sundays, or late at night.
* There is a lack of Long-Term Care supports. Parents are afraid to die because of the lack of caregivers to care for their adult children with disabilities.

Kori Allen suggested the technology instruction provided at the East Texas Lighthouse could be a resource for the CIL. Evelyn Cano commented that a constituent can ask for amendments to appointments rules about being a resident of the city to be on the committee or board. Tyler may also wish to form a task force at the county level.

* 1. **Breckenridge Village**

Chelsea Owens, Executive Director

**Chelsea Owens – Breckenridge Village, Executive Director**

“Breckenridge is a secret, but we don’t want it to be a secret.”

They opened 25 years ago and are an Assisted Living Facility. Now they have 9 ICF licenses on campus, and residents have their own bedroom and bath. The Day Program has 30 slots. The resident’s involvement in the community includes participating in Equine Therapy, East Texas Food Bank, and Meals on Wheels.

Kori Allen asked about process of starting a new location of Breckenridge. Ms. Owens described a group in Longview wanting to do so and a family who may donate the land. ICF licenses are no longer issued by the state of Texas. They Breckenridge has some residents who are employed in town, and they provide transportation to their jobs with a fleet of 18 vehicles.

* 1. **Tyler Deaf and Hard of Hearing Center**

Chris Detkos, Director of Operations, Tyler Deaf and Hard of Hearing Center

The Tyler Deaf and Hard of Hearing Center (DHHC) has a concept of a one-stop shop for Deaf and Hard of Hearing people to access all resources and services in one place. DHHC has a 10–15-year goal for the future of the Deaf Center and partnered with entities that use their services. They have 75 to 80 interpreter assignments a month but must decline some due to lack of interpreters. The DHHC provides a practicum for TJC students to help increase the pool of qualified interpreters. Out of the 75 requests they received over the past five months, 47% were from home-bound senior citizens. Transportation accessibility is an ongoing issue that has gotten worse with the growth of Tyler. There is a strong need for services to assist senior citizens with transportation to doctors’ appointment, the grocery store, and companionship. Another concern is retirement living for Deaf and Hard of Hearing people because there are no facilities or retirement homes that are accessible in East Texas.

Ron Lucey recommended reaching out to city hall and the county commissioner’s court to get the resources that this community needs. Richard Martinez directed Chris to the National Aging and Disability Transportation Center (nadtc.org) for funding sources such as grants. Evelyn Cano recommended training for advocacy through the Texas Council for Developmental Disabilities’ 150-hour course.

1. **Reports from Invited Exofficio Agency Representatives, includes follow up topics from previous meetings** *(Discussion/Possible Action)*
	1. **Texas State Independent Living Council** – April Pollreisz

April reported they are now fully remote. Executive Director Eva Storey left March 31st. April is now running all day-to-day operations with Vice Chair of the Council, Eric Dally, serving in a co-leadership role. The SILC has three projects:

1. Peer Assistance Leadership project is ending 8/31/23. This project was conducted in close connection with Disability in Action and VAIL.
2. Inclusive Services for Sexual Assault Survivors in Texas.
3. Public Health Workplace Program for COVID-19: this provides not just vaccine related information, but also testing related information. SILC will be providing training to communities on how to properly communicate with consumers on this topic.

SILC’s state plan for independent living requested an amendment to extend the cycle one year, so now the cycle will go through September 2024. April reported that transitions in and out of nursing home facilities for people with disabilities is under review, but data received from HHSC is incomplete. SB 1264 relating to the issuance of disabled parking placards to certain day activity and health services facilities that transport persons with a disability did not pass.

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

Marsha reported on legislative updates:

* House Bill 1 appropriations will fund a cloud-based licensing platform program for all 37 programs.
* HB 2127 is being monitored for how it may affect architectural barriers programs.
* HB 617 relating to telemedicine.

Outreach has successfully promoted the elimination of architectural barriers program along with training and conferences for medical health programs. TDLR has focused on clarifying their administrative rules. TDLR continues to work with their enforcement division to handle consumer complaints and health compliance. Currently, TDLR is not fully staffed.

* 1. **Texas Education Agency** – Kristin McGuire

Kristin McGuire provided a broad legislative update:

* TEA is monitoring a bill on safety of students and staff during emergency situations. This bill would allow the purchase of equipment for self-contained special education classrooms.
* Another bill would create an IDD Coordinating Council Team.
* HB 1225 relates to parents and teachers requests that student be administered state assessment on paper rather than online.
* SB 2304, The Texas Driving with a Disability Program
* Bills related to Services for Students with Dyslexia and Knowledge of Dyslexia
* A bill on Autism Spectrum Disorder and working to transfer skills to education world.
* A bill restricting Peace Officer or personnel from using a taser or chemical irritant on students in 5th grade or below.

Kristin also provided an update on the public comment regarding students with diabetes from the Laredo Quarterly meeting. She is working on revising and updating information about diabetes to educate school personnel.

* 1. **Texas Workforce Commission** – Claudia Peden

Claudia Peden reviewed legislative updates. Now Vocational Rehabilitation customers attending in-state universities tuition will be covered by TWC/VR. In May 2023, TWC has published an Introduction to Vocation Rehabilitation Services video which includes American Sign Language on the website. HB 729 relating to a coordinating council; it establishes a statewide IDD coordinating council and includes TWC in the list of state agencies. TWC has welcomed Julie Johnson as new director for the Criss Cole Rehabilitation Center. A significant initiative is the Summer Earn and Learn Program and it is serving students with disabilities throughout the summer. Evelyn Cano asked if TWC will allow Dr. Mireles’ team to conduct assessments in Laredo offices. Claudia responded TWC does not allow showing favoritism or preferred treatment to groups even if when there’s a severe need for the access.

* 1. **Health and Human Services Commission** – Clair Benitez

Clair Benitez reported on Bills signed by Governor Abbott effective September 1st.

* HB 446 relating to the terminology used in statute to refer to intellectual disability and certain references to abolished health and human services agencies.
* HB 2059 relating to mental health first aid training provided by local mental health authorities and local behavioral health authorities.
* SB 240 relating to workplace violence prevention in certain health facilities.
* SB 464 relating to designating October 17 as Entrepreneurs with Disabilities Day.
* HB 617 relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas.
* SB 26 relating to local mental health authority and local behavioral health authority audits and mental and behavioral health reporting, services, and programs.
* HB 728 relating to the statewide interagency aging services coordinating council.
* HB 3462 relating to the consolidation of ombudsman programs administered by the Health and Human Services Commission.
* HB 4169 relating to providing prevocational or similar services under certain Medicaid waiver programs.

Clair also provided updates on the agency:

* The Office Deaf and Hard of Hearing Services has a new director, Bryant Robinson.
* A study on TTI gathering data from HHS staff set to conclude August 2023
* Employment first Uniform Assessment Tool has been released through HHSC’s GovDelivery channel.
	1. **Department of Family and Protective Services –** Jason Steele

Jason Steele discussed APS Exploitation units that focus on financial exploitation and are spread throughout the state. Mr. Steele reported that there will be additional APS funds for reporting abuse and neglect. HB 63 removes anonymous reporting on intake. Individuals will have to report to law enforcement.

In response to earlier public comment on language deprivation potentially being child abuse or neglect, DFPS said this would not be child abuse or neglect, but DFPS would need to evaluate it case-by-case.

**Elyse Lieberman** commented on the competition of public schools with private companies now who are hiring Diagnosticians who work from home, so fewer Diagnosticians are staying in the school system, thereby exacerbating the shortage of staff.

**Ellen Bauman** said there are 160,000 names on the interest list for 1915(c) Waiver services. Ellen requests a list of numbers of individuals on the interest list broken down by legislative district. Eric Lindsay **motioned** to request a copy from HHSC of the Waiver Wait List records. Ben Willis seconded the motion. A roll call vote was done. Nine “AYE” votes counted. GCPD Staff will take care of request.

1. **Policy Recommendation Development based on the Committee’s Issue Areas** (*Discussion/Possible Action*)

(Access, Communications, Criminal Justice, Education, Employment, Emergency Preparedness, Health, Housing, Transportation, and Veterans)

* 1. *Best Practices for Serving Deaf and Hard of Hearing Youth in Child Welfare Agencies* – Michelle Niehaus, Angela Winkfield, Rachel Rodgers, State of Kentucky Agencies

**Michelle Niehaus** - Team Kentucky Cabinet for Health and Family Services Community Based Services

Ms. Niehaus, Ms. Winkfield, and Ms. Rodgers presented on how the state of Kentucky has created a coordinated approach to serving Deaf and Hard of Hearing Children in foster care through:

* Providing Deaf mentors to Deaf and Hard of Hearing foster youth
* Recruiting Deaf and Hard of Hearing foster parents
* Creating a system of care approach or No Wrong Door system to serve kids from a community-based system and includes Deaf Community input.
* Involving family members to support early identification and intervention via education and outreach.
* Committing FTEs to this program.

Kentucky shared information on important data to collect and track to be successful such as:

* hearing status of the individual and family members,
* preferred communication methods,
* preferred interpreters,
* sign language proficiency review (SLPI),
* signing skills of frontline workers, supervisors, and partners.

Kentucky’s value-added benefit is called Language Access Communication Empowerment Support (LACES).

* 1. *Update on Medicaid Dental Benefits* – Dennis Borel, Coalition of Texans with Disabilities (CTD)

Dennis Borel discussed the status of this HB 2658 and research to support it. The benefit has not been made available as HHSC has stated there is not enough money to implement it. Mr. Borel states advocates had an independent health analysis conducted by the Texas Health Institute (THI) that showed implementing this program would save the state much more than it costs the state not to implement it. Mr. Borel explained how dental health issues can lead to more severe health issues.

Ellen Bauman made a motion to **recommend** to HHSC to explore the feasibility of the money being drawn back out from HHSC to push this oral health program regardless of recovering unspent money. Ben Willis seconded the motion to push for oral care. All Committee members voted Yes. **Motion approved**.

* 1. *Complaints & Requests for Accommodations: When to Contact the HHSC Civil Rights Office* - Shontay Olson, HHSC Civil Rights Division

**Shontay Olson**– HHSC Civil Rights Office investigates discrimination complaints about the agency. She states that if you’ve filed a complaint with the Civil Rights Office, you can still file with Ombudsman. Statute of limitations for filing is 180 days.

Contact Office of Disability Service Coordination

HHSC Civ Rights 512-438-4313 or 888-388-6332

HHSCivilRightsOffice@hhsc.state.tx.us

* 1. *Coordinated Mental Health Resources for Service Members, Veterans, and their Families* – George McEntyre and Dr. Harris, HHSC Office of Mental Health Coordination

The RED WHITE and YOU program are spearheaded by TWC and championed the Tax Coordinating Counsel for Veterans Services. **George McIntyre** said HHSC manages Veterans Grant programs for mental health services, and provides fiscal and performance oversight, subject matter expertise, and grantee technical assistance. Some services they provide are statewide technical assistance on veteran suicide prevention strategies, a website (texvet.org) that is updated regularly with information and resources, a military veteran peer program, and training and education on veteran suicide prevention.

1. **Executive Director Report and Staff Updates** – Ron Lucey (*Discussion/Possible Action*) Ron Lucey reported briefly on the legislative session. Mr. Lucey stated the new issue area Criminal Justice was approved by leadership and now the committee will add an ex officio member from the Department of Criminal Justice. The Lex Frieden Employment Awards (LFEA) will be held on October 26th in Edinburg with the GCP Quarterly taking place the day before on October 25th. GCPD Staff recommend holding a briefing meeting in September to discuss the new Criminal Justice issue area. **Motion** made by Ellen Bauman to hold a September briefing. Seconded by Elyse Lieberman. In favor adding a meeting to meet with TDCJ. All voted yes. Motion passed.

**Subcommittee** established to develop policy recommendations to better serve students under Section 504 who have Diabetes. Evelyn Cano volunteered to Chair.

1. **Update on 88th Texas Legislature –** Rebecca Lopez and Matt Dickens *(Discussion/Possible Action)* We are still within the veto period. **These bills have been sent to the Governor.**
* **SB 477** relating to accommodating voters with a disability.
* **HB 3159** relating to the use of an accessible absentee mail system by certain voters.
* **HB 4164** relating to the improper use and treatment of an assistance animal or service animal; increasing a criminal penalty.
* **SB 55** relating to a study and report by the Texas Higher Education Coordinating Board regarding best practices for assisting students with autism spectrum disorder.
* **SB 133** relating to prohibiting the physical restraint of or use of chemical irritants or Tasers on certain public school students by peace officers and school security personnel under certain circumstances.
* **HB 3928** relating to dyslexia evaluations and services for public school students, the provision of services for students with dyslexia and related disorders, and certain parental notice regarding the rights of parents of public school students with disabilities.
* **HB 109** relating to health benefit coverage for hearing aids for children and adults.
* **HB 729** relating to the statewide intellectual and developmental disability coordinating council.
* **SB 1606** relating to evidence and orders regarding intellectual disability or mental condition in certain guardianship proceedings.
* **SB 904** relating to the offense of the unauthorized use of parking designated for persons with disabilities.
* **SB 2304** relating to the regulation of driver education courses and driving safety courses and the provision of information regarding the Texas Driving with Disability Program to certain public school students.

**Vice Chair Ellen Bauman adjourned the meeting at 5:09 p.m.**

**Day 2 – June 7, 2023**

Vice Chair Bauman called meeting to order at 8:15 a.m.

Roll Called. All ten GCPD Members present.

**Public Comment**

**Brittany Walters, Lighthouse. Assistive Technology Instructor** at Horizon Industries and Client Services.

Ms. Walters explained the employment services they provide. A major barrier to employment their clients face is transportation, so a lot of their focus is on advocating for accessible transportation and sidewalks as well as assistive technology. Ron Lucey encouraged Ms. Walters to approach transit leadership in the City of Tyler. Richard Martinez suggested a Board Member represent the group.

**Theresa Dell – DHH Access Specialist under HHSC** – Ms. Dell has ten years’ experience working on Law Enforcement issues serving 23 counties. Ms. Dell emphasized the need for local advocacy and education as some local agencies do not provide the appropriate accommodations for people with disabilities. Ms. Dell explains this is often because of a lack of understanding and education or training.

**Daphne Smith**, Deaf Ed Teacher. The school where Ms. Smith teaches does not have an accessible emergency alert system. When an emergency happens, she must rely on receiving a text from school administration, but this has not happened. Ms. Smith states the School Board does not want to spend the funds for an accessible alert system. Kristin McGuire invited Daphne Smith to join the Board of Public Safety of Texas.

**Dalila Reynosa** – Smith County resident. She works for the Texas Jail Project, a nonprofit organization serving inmates with IDD and Mental Illness. She asked the GCPD in 2021 to consider people with disabilities in our jails in Texas. Ron acknowledged that her previous comments helped to start the discussion of adding Criminal Justice as an issue area. Mr. Lucey invited Ms. Reynosa to apply to become a committee member.

Ellen Bauman introduced **Ed Serna**, Executive Director of TWC. Mr. Serna said that in addition to vocational rehabilitation services for people with disabilities, the other services that TWC provides are available to all Texans.

Ed Serna offered to provide, at a future date, a high-level overview of all TWC services.

**Policy Recommendation Development based on the Committee’s Issue Areas** (*Discussion/Possible Action*) (Access, Communications, Criminal Justice, Education, Employment, Emergency Preparedness, Health, Housing, Transportation, and Veterans)

1. *How Ready Are We for the Next Disaster?* - Review of results from Disability Rights Texas annual Disaster Resilience Survey 2023. – Stephanie Duke Attorney, Disaster Resilience Coordinator at Disability Rights Texas

**Stephanie Duke** talked about the survey after Winter Storm Uri in 2021. Ms. Duke reviewed important takeaways from the survey. A key takeaway was resilience or a community’s ability to recover well from a disaster. To build resiliency, Ms. Dukes says, a community must fully understand the risks and needs it has. This requires the inclusion of people with disabilities when planning for disasters.

1. *Addressing the public safety needs of children with IDD and/or mental health issues who bolt –* Linda Litzinger, Parent to Parent

**Linda Litzinger, Texas Parent2Parent** – Linda Litzinger presented on two issues:

1. Missing Children with Disabilities: some children with disabilities elope and are then labelled a runaway instead of missing. This can lead to worse outcomes for these children. Ms. Litzinger suggest expanding the types of disabilities included for the Amber Alert system for missing children.
2. Age 17 Jailed with a Disability: Currently, children with disabilities who are 17 years old are released from jail without their parent or guardian being informed because the jail considers a 17-year-old to be an adult. This can lead to trafficking of these individuals. Ms. Litzinger suggest train law enforcement to call the parents of 17-year-olds with disabilities before releasing them and creating a law that would establish 17-year-olds as children in this context.

Elyse Lieberman asked if TBI or spinal cord injury are included. Lisa Litzinger said no, not included in the alert system. Ben Willis said what about scenarios for a bill where it was a legitimately abusive home, what language could be put in the Bill. Eric Lindsay asked to be given insight as to why four bills did not get to finish line. Linda Litzinger said they got late hearings and that 190 bills died the last night of the Legislature. In the Senate, a lot of control from the top about which issues will move forward. Elyse Lieberman asked what does student safety mean? It is different for different stakeholders as SpED teachers had to deal with bolting often.

**Motion to Establish Advisory Committee:**

First, create interim study of the data. Second, create advisory committee on missing children with disabilities.

**Action**: To create a Task Force to study the alert systems for abducted children and missing persons with disabilities. Task force will be composed of 16 members, a child with a physical disability, a child with a mental illness or ID, a family member with a mental illness or ID, employee of a local behavioral health authority, a volunteer of an organization, an employee or volunteer of a nonprofit who supports self-advocacy of children, an employee of a nonprofit organization who provides services to children with mental health needs, a school counselor certified under subchapter B Chapter 21 Education Code, physician with experience with disabilities or psychiatrist, an attorney who practices juvenile justice or family law, an attorney licensed in the state whose practice includes probate or civil jurisprudence, a representative from TEA, HHSC, DFPS and DPS.

**Motion** made by Elyse Lieberman for the policy to support the formation of the Task Force. Evelyn Cano seconded the Motion. Eight “AYE” votes. **Motion is passed.**

**Action**: The second recommendation would change the law so that children aged 17 are not considered to be adults and alert parents and CPS for the safety of the child. **Ben Willis** made a **Motion** to amend the language, seconded by Eric Lindsay. Nine GCPD members voted Yes, **motion approved**.

1. **Possible Policy Recommendations from Public Comment** (*Discussion/Possible Action*)

Ron Lucey reviewed the need for Tyler, TX to have a transition ADA Plan, which is supposed to be a living document. There needs to be a Mayor’s Committee Group in Tyler. Safety for schoolteachers and students who are deaf. Tyler ISD may want to consider an All-Hazards Alert System like in San Antonio. There was lots of discussion about struggles for DHH citizens in the Tyler community and the challenge of retaining interpreters when the pay is substandard. If your Liberty or Life is at stake, there should be a core of qualified interpreters.

**Action**: Ask DHH division at HHSC to re-evaluate their pay rates.

Ron Lucey recommended a statistical model.

Elyse Lieberman asked how we find out the number of interpreters who are active. Matt Dickens said we could find out if their certification is lapsed and that could give us an idea of a number. Emma Faye Rudkin suggested that a mass text to students for weather, fire, violence alerts could be used for students since everyone has cell phones. There are a lot of systems in place that can help, such as ALHAS - Alerts for active shooter in schools.

Kristin McGuire mentioned the **Texas School Safety Center (TSSC)** needs to continue to hear about the needs of individuals with disabilities when preparing and dealing with emergency provisions. She invited teacher Daphne Smith to serve on that Committee. Ron Lucey recommended inviting the TSSC group to a future GPCD meeting.

Committee Members Ben Willis, Evelyn Cano, and Kori Allen spoke with Kristen McGuire, TEA about school safety protocols, minimum standards, and guidelines. They discussed invited a member of the TSSC to present at one of the next two quarterly meetings.

**Planning for the GCPD Transportation Subcommittee** – Richard Martinez is Chair, and Eric Lindsay serves. This Subcommittee has discussed how to get the word out about the new part of the law, about parking illegally and getting ticketed. Volunteer parking enforcement programs are being implemented in some cities. Eric Lindsay recommended the sub-committee revisit the ride share situation and legal case. Ben Willissaid mechanic shops do not know what to do with Lifts in accessible vehicles. Training regulation for mechanics, through the subcommittee.

**Action**: Dedicate at least one meeting of this subcommittee to revisit ride shares (TNCs).

1. **Planning for the Diabetes Subcommittee** Evelyn Cano is Chair. Elyse Lieberman, Ben Willis, Kristen McGuire are on subcommittee. Evelyn said that they need to schedule the first meeting.
2. **Policy Recommendation - change HHSC Interest List to HHSC Waiting List** for services in Medicaid Waiver Programs Ellen Bauman said 160,000 names on the Interest List for the 1915(c) waivers.

**Proposed Policy Solution:**
For Medicaid Waiver Programs under TX HHS Commission amend the “Interest List” to “Wait List” in Gov Code. **Motion** made by Ellen Bauman to adopt this recommendation. Seconded by Evelyn Cano; Seven voted “Yes” **motion passed**.

1. **Update on Adult Changing Tables** – Update Texas Accessibility Standards - if a table is installed, here are the standards. Just this month the state of Minnesota passed an Adult Changing Table Law. This scope is for large venues where a person is likely to be there for many hours: stadiums, airports, music venues. Airports around Texas are starting to have them and are using International Building Codes. In Minnesota any restroom with six water closets will be required to have Adult Changing Stations. Families are having to limit visits to public places. Adult Changing Tables is not an undue burden to include these at large venues.
2. **Update and discussion on Braille Literacy Policy Recommendation for K-12** – Ron Lucey said a very limited number of students know how to read Braille. Keeping Braille can impact positive 11,000 blind students in Texas whether college or not. Students may not be able to use speech output from a screen reader for complex mathematical equations. Joseph Muniz said everyone is very interested in helping blind children and agencies are willing to do this work without legislative mandate.
3. **Follow up and discussion on Veteran Suicide Prevention Policy Proposal** Subcommittee had discussion yesterday. Eric Lindsay said he does not know what a policy proposal or recommendation would realistically do. Improving awareness of the programs to help prevent veteran suicide. Eric said expand the aperture. What percentage of the overall disabled veteran community is also committing suicide.
4. **Recreation at Texas Parks and Wildlife Department** – Archer Archer, TX Parks Accessibility Committee. A survey was conducted regarding accessibility with state park, trails, signage, visitors center sent to people with disabilities. Results not in yet.
5. **Addressing disability issues for children with disabilities** – Joseph Muniz asked about the status of immigrant children/minors being served by Texas agencies by the Federal Government. In the past there were contracts with organizations to house immigrant minor children with disabilities. Ron said they are doing good work.
6. **Special Education** Elyse said a trend in SPED has been hiring special education directors with no background in special education. This is widespread. What can we do to get criteria for knowledge or certify in special education.

**Recommendation** was made by Evelyn Cano to start meetings at 8:30 to encourage more public comment (after school drop off time 7:30 – 8:00)

1. Accommodations for Students with Disabilities in University Interscholastic League extracurricular activities (Tabled)
2. Discussion of services for children with disabilities (Tabled)
3. Medical consent for adults with IDD who are not under guardianship (Tabled)

**Meeting Adjournment** Ellen Bauman adjourned at 1:03 p.m.