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

**QUARTERLY MEETING MINUTES**

**October 25th, 2023**

Wednesday 8:30 a.m. – 5:00 p.m.

Edinburg Conference Center at Renaissance

118 Paseo Del Prado, Edinburg, Texas 78539

1. **Call to Order/** **Roll Call/** **Introductions** Ellen Bauman, Vice-Chair

called the meeting to order at 8:41. Roll called and introductions from new GCPD member Neva Fairchild.

1. **Welcoming Remarks from Edinburg Mayor**

Mayor Ramiro Garza talked about awareness of disabilities, inclusivity in the community, and forming a mayor’s council on disabilities.

1. **Approval of Committee Member** **Absences as Submitted** (*Discussion/Possible Action*) Ben Willis and Emma Faye Rudkin absent. Ellen Bauman confirmed no objections. Absences approved.
2. **Approval of Summary Minutes for June 6 - 7, 2023** Eric Lindsay moved to approve the minutes. Neva Fairchild seconded; minutes approved.
3. **Public Comment**

**Eduardo (Eddie) Olvares,** **CAO – Hidalgo County Health & Human Services**

Eddie Olvares expressed concerns about the great need for emergency preparedness, staff training, and transportation for people with disabilities in the valley.Funding for public health and emergency response in the RGV is lacking. Eddie also said that the number one barrier to health care in the valley is transportation. He asked the GCPD to please ask the Governor for state specific funding to help with public health and emergency response for people with disabilities. Ron Lucey said, “I’d like to work with you offline to help develop your funding recommendation to put forth to this committee at their next quarterly meeting in possibly January. We can get into the details of the amount of funding and what it would be used for.”

**Dr. Alexander Morris** - **Texas Academy of Audiology**

Dr. Morris commented on the issue of Medicaid patients not receiving care due to the limited fee schedule allowed. The current Medicaid Fee Schedule Analysis results show the fees are too low to “keep the lights on” thus, they cannot serve patients. Many audiologists have stopped taking Medicaid patients. In Texas, there are only about five sites still accepting Medicaid. One quarter of the counties in the RGV have no access to an audiologist. Corpus Christi is the closest location.

**Zoom Public Comments**: **Stefan Cole**, self-advocate, discussed ongoing issues with agencies not following the law. Ron guided him to Ombudsman and that offline we will work with him to direct to appropriate entities.

**Vivecca Hartman, President of Deaf-Blind Multihandicapped** **Association of Texas** (DBMAT), commented on the severity of the crisis with the DBMD Medicaid waiver program. With the CAP having no increase in over 20 years, she asked that Cost-of-Living Adjustment (like the COLA used for Social Security benefits) be a consideration for response to inflation. Families are giving up weeks of services including respite, a major concern for families with members who cannot be left unattended. There are very few group homes that accept individuals who are deafblind, only one in San Antonio. Ms. Hartman’s organization is requesting three items: increase budget cap to include inflation, expand adult day programming services, and alternative living arrangements. Ron Lucey recommended she work with Rebecca Lopez to help narrow down the specific amount for the proposal language.

**Theresa Dell** – **Northeast Texas HHSC**

Ms. Dell discussed issues with effective communication accessibility and related a story she shared at our Quarterly Meeting in Tyler in June 2023. She discussed a problem with an undocumented immigrant from Mexico who was arrested and was not provided an interpreter. Theresa asked if the GCPD can make it a law to have the legislature create a House Bill or Senate Bill requiring that every attorney’s office and law enforcement departments provide communication and require training every three years. Ron Lucey said we can work with her on creating the policy recommendation.

**George Patrin, MD**, San Antonio, retired Army and development Pediatrician, healthcare administrator, started a nonprofit called, Serendipity Alliance Healthcare Consultants. Dr. Patrin expressed 10 years of frustration that so little coordination and integration of good-hearted organizations exists. The lack of universal access to healthcare is the main problem. The Center for Health Care Services (CHCS) is the center for healthcare in Bexar County. Patients are not getting quality primary care due to limited funds. He asked the GCPD to work with the governor to get this funding. Dr. Partin’s hope is to get the non-profits and for profits to provide the service first and get paid later.

**Jessica Rothe** talked about attendant care pay. Being told that they cannot receive over $11 an hour. Issues of people who cannot get help to use the bathroom, get cleaned or dressed. Ellen told her this is on the front burner. We are trying to get senators to address this issue. Ron Lucey said the legislature addressed this but did not solve it. Ellen Bauman said the raise was $2.49 but had no allowance for overtime. Ellen encouraged her to join an Advocacy Group and go to the Capitol.

**Tish Smith** has an 18-year-old deaf-blind daughter with IDD and member of DBMAT, she described her daughter was from a failed out of state adoption. Intervener Services have helped her life. She has learned sign language, a tremendous number of concepts, and is communicating instead of hurting herself. She was 10 years old when adopted by Tish. If the intervention had been earlier in life, it would have been a profound enhancement. Tish expressed fears of the future of her daughter’s care as Tish is older, in her 60s now.

**Amy Litzinger** echoed all that has been said and adding that the electronic verification system is not functional. She said we should put all the services in the waivers. As a person who uses supported employment services, she receives requests from People with Disabilities throughout the state. Amy’s work schedule is off and on the clock which effects attendant pay. She is being told by HHSC that attendants cannot earn any overtime. The biggest issue is FMSAs are trying to phase out the alternative EVV devices for closing in and out and only use the cell phones. This is a major concern for people who live in lower income or rural areas where Internet connectivity or access to tech is not easy. Amy wonders if the state is overestimating the ability for people to consistently use mobile devices (EVFC Electronic Verification System). Ellen Bauman said we need more people to speak up with statements of what is not working and why it is not working.

**Sonya Burns, advocate,** talked about her institutionalized disabled brother and the crisis of individuals with IDD in jail not receiving services. She said, “Be aware that every legislative session HHSC receives a bucket of money.” The ask from Sonya is to provide healthcare in the state hospital system whether a locked setting or a supervised structured setting. People are stuck in jails without access to treatment. How many times do we have to put someone through this trauma. Ms. Burn suggested the GCPD invite Dr. Jeffery Matthews (director of all state hospitals) to speak on this matter.

**Leslie Rufenacht** has a daughter with multiple disabilities. She spoke about the attendant care pay rate. IT was cut 50%. On August 17th Ms. Rufenacht went before the HHSC council to address concerns about the Medicaid reimbursement rate. TWC says if you are working but at employer reduced hours, you may be eligible for benefits. This encourages attendants to leave the job. We are here discussing the same issues two months later.

**Marisa Mahon** is a mom with two boys from the DFW area. She has one child with Down Syndrome and one with various diagnoses. Her son experienced an assault and the interview by law enforcement was ineffective due to communication barriers. Marisa recommended for the next legislative session: Use the Take Me Home Program to empower law enforcement to provide appropriate support to people with disabilities. This program is a free service available to any City of Plano resident who may have trouble communicating and is aimed at individuals with Autism, Down Syndrome, developmental or cognitive disabilities. The program is also intended to assist senior citizens who suffer from Dementia or Alzheimer's.

The Attorney General’s office does not provide suitable training on how to interview children with disabilities when reporting assault.

**Jordan Smelley** discussedChung Jansen Syndrome, a rare condition that manifests learning and behavior problems and weight. Jordan is asking for that Medicaid section of pharmacy the provider manual to add the additional coverage exception of allowing approval of his medications. Even though HB3286 passed the 88th Legislature there are discrepancies with the Texas HHSC drug vendor program. HHSC went on record during the drug utilization review board on 10/13/2023 saying HB 3286 does not apply because bill language is not specific to include weight management drugs.

**George Bland** said this is his second time to speak before this committee.

51% of inmates in the Texas Prison are like him, he graduated high school without being able to read or write. VR denied access to meet with his own employer. VR told him he is denied because he is not using email to communicate. United States Department of Education told him to speak out in public at the San Antonio ISD, but he was told they would sue him for slander. But then afterward, told him they would make it right. Nobody is held accountable. TWC Vocational Rehab has issues with providing services.

“What is supposed to happen when I’m a direct failure of the system?” Mr. Bland says he has been told not to take suicide off the table. Ellen said we will connect you with Claudia Peden, our Ex Officio Representative at TWC.

**Cyral Miller, Alliance of Visually Impaired Texans** a group representing the needs and plans for people with visual impairments in Texas. Cyral expressed support for changes to the Deaf-Blind multihandicapped waiver program and creating a system for Co-Navigators for Deaf-Blind.

**Chase Chick, CEO Pursuit of Happiness,** emailed. Ms. Chick expressed deep concern over the management of the HHSC agency. Commissioner Cecile Young’s inability to enforce contractual obligations of Managed Care Organizations (MCOs) is damaging both the credibility of HHSC and the well-being of our state’s most vulnerable citizens. Ms. Young’s leadership has a disturbing level of ineffectiveness and inaction; Chase Chick recommends terminating Ms. Young as Commissioner and restoring accountability in HHSC.

**Rhonda Harris** – a parent, emailed this comment.

“I would like to share my story and concerns. Will there be another opportunity with these type of topics on disabilities before the legislature goes to session? I'm a single parent with an adult member with a disability. Increasing on each of the priority to provide more support to families to get off the health wait list. Thank you for your time and consideration.”

**Harshed Nadkami** has a 21-year-old daughter with a Bipolar diagnosis. She wants to finish college and the severity of her episodes often interfere with her completion of assignments. The allowed number of course drops are unreasonable for students with mental illness. Harshed is requesting the removal of upper bound limits along with the removal of the cause per semester and that students be given credit for courses that have been completed and passed. Harshed requested legislation to allow students the ability to retake an exam without having to repay tuition fees. This will relieve stress and give a realistic time for earning a degree. This is about individual course drops. Evelyn asked if the staff could work with the Higher Education Coordinating Board. Ellen said she thinks we should pursue to seek an accommodation for this college student situation. The drop course restriction has been in place many years.

**Barbara Knight** talked about having financial hardship resulting from leaving her career due to her disabilities caused by medical neglect. She is requesting an alternative financial option for adults with IDD and multiple disabilities. HHSC grant would help with this type of individual to reside in the community or facility of their choice. In addition, the grant needs to have a rider in place to cover the cost of day programs while the individual is waiting to be accepted into a placement. The current option of waiting on a long wait list doesn't provide a reliable financial source when transition planning into adulthood is being done. She requested an alternative financial option for adults with IDD and multiple disabilities.

**Amy Potts**, parent of a deaf-blind son, commented on needs of Texans who are deaf-blind with additional disabilities. Her son was born four months premature in 2006 and was in intensive care for eight months. Upon his release, health insurance paid only $200 per year for durable medical equipment. She discussed the MDCE waiver program and future concerns when she and her husband are not around to care for their son, as she has leukemia. Amy is requesting the Texas governor fill all slots for individuals to be served with multiple disabilities, adjust the CAP to inflation in the same manner of Social Security -COLA, and create adult day programming and living arrangements for individuals as they age.

Staff will turn this into policy language and bring up at next Quarterly meeting to vote upon.

**Antionette Verdone, Improvability Founder and Lead AT Consultant** expressed STAP program concerns. The increased processing time over the last year has resulted in the death of 12 people with ALS; they were waiting for their communication technology. We know how much the employees of the program care about the services they provide. We would also welcome transparency and clear communication on equipment allowed under the program. We hope that our feedback and comments on behalf of our clients who cannot speak for themselves will help the program to get the resources it needs to provide this valuable service in a much more timely and transparent fashion

**Rex Moses** emailed concerns with the delivery of technology services through STAP. The processing time is now 11 months. He asked if this is due to an increase in applications, funding issues, or both? He recommended that changes to the application process should be made to a 30-day standard. He supports this policy development proposal.

**Sonja Debacha, Texas Chapter - Changing Spaces**, emailed about the need for accessible public restrooms with universal changing tables. She addressed the health and safety issues of changing undergarments in trunks of cars or dirty restroom floors which is unclean and undignified. She is advocating for adult sized changing tables to be installed in the community to make Texas more accessible and inclusive. She asked the GCPD to pursue legislation for this. Ron Lucey replied that we have two recommendations in our report for universal changing spaces. One bill filed by Senator Zaffirini did not get a hearing in the 88th legislative session. The GCPD will consider reintroducing the same recommendations for the 89th Legislature.

1. **Listening to the Edinburg/RGV Disability Community The juvenile justice system**
   1. **Lifelines Mental Health Court** – **Judge Renee Betancourt**

discussed her program, Lifelines Girls Juvenile Mental Health Court. She works with repeat juvenile offenders and does not wear a robe or look authoritative because she wants the girls to feel open to guidance. The goal of Lifelines is to empower young women (ages 13-17) and their families to realize their potential. The girls will establish healthy relationships that will serve as LIFELINES. Services are treatment, court probation supervision, and fun activities. Access is a barrier and, specifically, Lifelines MH Court would ask the GCPD for help with **transportation**. Ron Lucey asked Clair Benitez (HHSC) if the Medicaid program can help with transportation. A big issue is “The Rise of IDD.” The kids are not diagnosed until they are already in the Criminal Justice system. Judge Betancourt served on the EISD as legal counsel prior to becoming Judge in 449th District Court. She serves on Texas Commission on Mental Health; she has an open-door philosophy and said the GCPD can call on her.

* 1. **Team Mario** – **Lisa Becerra**, **Program Coordinator,** discussed the program for individuals on the ASD Spectrum. Team Mario is on a mission to improve the quality of life for individuals with Autism through education, resources, and advocacy. with program events which included visiting Disneyworld and Las Vegas. Some of the things Team Mario is doing are young adult programs, camps for children aged 4-16, advocating for families, raising awareness, inspiring hope, and overcoming the impossible.

Lisa teaches autism awareness in schools, 40% of people w/autism are non-verbal, using a tablet provides a voice! Lisa is a speech therapist. Communication this way gives a voice and opens opportunities for the students. Additionally, Team Mario does train with the Pharr Police Department Cadets about ASD. A concern is that services for 21-year-olds and above deserve and need to be expanded. Ellen thanked Lisa for all the important work TEAM MARIO is doing, especially law enforcement and first responder training. Ron asked if they are aware of the Texas Driving with Disability Program.

1. **Workforce Issues Relating to School Psychologists - Addressing the Statewide Shortage of School Psychologists and School Based Mental Health Service Professionals**–**Dr. Nancy Razo**, **UTRGV**

School Psychologist, reported on the issues of shortages of school psychologists and mental health professionals in Texas.

UT RGV received grants for Accessing Mental Health Services. She discussed challenges in training university students as school psychologists. The grants help keep theinterns here in the RGV. There is high need for service professionals in high need schools. The coordinated work with counselors and social workers is underutilized and this program is now placing interns in Laredo, who has never had a school psychologist.

Ron Lucey asked about TWC grants for training up school psychologists. He asked if UTRGV is connected to the local workforce board. Dr. Razo finds a preventative approach better than a backlog of evaluations. Evelyn Cano brought up a need to find ways to entice graduates to stay in the valley. For example, working in schools with school based mental health professionals, hoping the school districts will find the value in trained mental health professionals within schools and hire them and keep them. The *whole* child needs care and will enhance learning.

1. **Reports from Invited ExOfficio Agency Representatives, includes follow up topics from previous meetings** *(Discussion/Possible Action)* 
   1. **Texas State Independent Living Council –** No report requested**.**
   2. **Texas Dept. of Licensing and Regulation – Marsha Godeaux** Provided the executive summary highlighting how the rapid growth in Texas is resulting in heightened TDLR emphasis on construction, transportation and medical issues effecting Texans with disabilities. TDLR is implementing several updated forms to give more “teeth” to help with enforcing rules. Kori Allen asked about the application and licensing process for TAS academy training. TDLR will be getting ready for a new strategic plan in spring 2024 in preparation for the next legislative session. She said be on the lookout for surveys and save the dates for in person planning meetings.
   3. **Texas Education Agency – Kristin McGuire**

The TEA summary highlights include continued evaluation for Dyslexia. When Dyslexia is suspected, there is a new form that is required to be given to parents to address in a friendly way, to explain what special education is and what it is not. It’s really an overview all about special education and all learning disabilities. The STAAR Alternate 2 has been updated, and a new monitoring system launched Texas SPED Support which is driven for educators in the field to have a one-stop shop for all types of Special Education resources, guides, and courses (SPEDTX.ORG).

* 1. **Texas Workforce Commission – Claudia Peden**
  2. TWC did not provide an update on their work Plan for implementation of GCPD’s policy recommendation for WorkQuest Program Enhancement for Staffing Full-Time FTEs at State Agencies. Mr. Serna was not able to join the meeting due to another commitment and Ms. Peden did not have an update on the work plan but is glad to check on this for a future meeting.  This is the explanation of why this was not discussed.

**Texas Workforce Commission – Claudia Peden**

Claudia reported on the new website launched for TWC; it is mobile friendly and has Spanish and Vietnamese languages. Commissioner Aaron Demerson, the employers’ representative, announced his departure effective October 31st. Claudia highlighted House Bill 4164. This bill provides that a punishable offense is committed if a person represents that an animal is a service animal where the animal is not trained or equipped to help a person with a disability.

TWC established October 16th as Disabilities Entrepreneur Day. *Budget expenditure related questions were asked, and Claudia said she does not have the data yet but is working with the finance department to get a report for the last five years.* Ron Lucey asked if the report would include the data on the money spent from VR budget and how much money had to be returned. Ellen Bauman brought up concerns on pay rate of VR Counselors and retention of staff. Claudia said TWC has been doing an analysis of salaries on a yearly basis. Ellen also commented on services to clients lacking due to reported lack of funds for VR services. Ellen specifically asked for numbers of the counselor job vacancies, percentages for staffing, and a pay rate schedule. A FORUM is coming up in November with field staff, regional management, and universities to explore strategies for recruiting and retaining professional rehabilitation counselors.

**LaToya Cassimere**, Manager Youth Services, reported on the Supported Employment Pilot Program in 2020-2021. The goal was to achieve incremental success demonstrating employability and led to obtaining long term competitive employment. Two individuals went through the program. The main referral partners were The ARC Greater Houston, Region 4 Education Service Center, Texas Workforce Solutions, HCIL. Neva Fairchild asked what was learned from this pilot program. How many were blind or deaf blind? Latoya said parents were glad their children had a choice of supported employment, and appreciated they got to interview the job coaches. Case managers checked in on those relationships and assessed needs for adjustments. There are no plans by TWC to replicate this pilot program in other areas of the state.

**Alyssa Kee** – reported on the Summer Earn and Learn Program

Over 2900 students were served in 2023. 14,500 students have been placed in jobs since the inception of the program in 2017 in over 1200 worksites in Texas. Neva Fairchild asked how many of the 2900 in 2023 were blind or have low vision. Alyssa said they’re still gathering the data and will provide. Neva said she will keep asking. Ron asked how many transition customers does TWC currently serve statewide compared to the number of participants in the Summer Earn and Learn Program? Alyssa does not have the numbers right now but will send in. Ron asked about the status of rural areas and if there are enough employers and job capacity. Austin Mayor’s committee going back to 1999 had established an Austin Travis County Work-based Learning program for transition students, which served several hundred students with disabilities. How does that program complement or correlate with TWC SEAL in the Austin area?

* 1. **Health and Human Services Commission** – **Clair Benitez** reported on HB4 that required to allow Medicaid and CHIP services to be delivered by telemedicine on a permanent basis. *Ron Lucey asked if any accessibility standards or rules are in-place for ensuring communication access for patients who are deaf or technology for patients who are blind. Clair Benitez will come back with a response to this question.*

Another update was to home and community-based settings rule, CMS requires states to submit a statewide transition plan that describes the initiatives and activities to achieve compliance with the federal HCBS settings rule. HHSC is working with CMS to develop a corrective action plan.

There was an update to House Bill1 from the 88th Legislative Session which included funding to allow DMBD providers to receive a monthly fee instead of an hourly fee for case management services. Federal approval was received in September 2023. The Money Follows the Person Demonstration project received $28 million dollars for activities to help people transition from institutional settings to community-based settings. That’s going to support 22 different projects that address the goal. Clair addressed an update on House Bill 4169 in the 88th Legislature. This is relating to prevocational services or a similar service to the home and community-based waiver, Texas home living waiver, deaf‑blind/multiple disability waiver programs. With this, it's a prevocational service that's part of an interesting service called individual skills and socialization or a standalone waiver service.

HB54 increased the personal needs allowance (PNA) from $60 to $75 monthly. Clair also highlighted The Bridge to Star Plus Pilot Program, one of the Money Follows the Person (MFP) programs; it supports people with serious mental health issues re-entering the community after long hospital stays. Transition teams are in Bexar and Travis Counties to provide intensive supports up to six months before leaving the state hospitals and up to one year after transition to the community. Clair announced that the annual Texas HHSC Innovators in Aging Awards is open for nominations through November 17th. The categories to nominate are Be healthy, Be connected, and Be Informed. Additionally, in August 2023, HHSC launched a free online platform called Direct Care Careers (DCC). This platform facilitates a connection between employers and providers of home and community-based settings to match candidates with employers. As of mid-October, there are over 100 employers registered and over 80 employers who have started a profile.

* 1. **Department of Family and Protective Services** – **Cheryl Gomez** reported that DFPS is expanding financial exploitation services for APS in Dallas and northeast district. This is a deep dive into financial status and needs to help navigate legal and other issues. Cheryl explained the program called the complex delivery unit these complex cases will be transferred to specialist units in the community for attention. APS defines complex cases as somebody who has a serious physical or mental health problem, minimal financial resources to pay for medication, utilities, or housing. Also, in prevention and intervention services, DFPS has developed training videos for parents of children with disabilities.

**Paul Busby, Lead Specialist from CPS,** reported on the DFPS response to the GCPD policy recommendations by outlining the Implementation Plan for Recommendations made by the GCPD. A summary of implementation of these policy recommendations include: DFPS will monitor and compare deaf and HHS with STAR health data. DFPS should designate a full-time position during the 2024 FY. This new position will be the single point of contact/subject matter expert (SME) for everything related to services for deaf and hard of hearing for children in conservatorship. If Interpreters are not ASL certified upon hiring, they will be soon after hire. Job duties will include providing communication resources for all the children in foster care, they’ll provide technical assistance. Currently, there are about 90 kids identified as deaf or hard of hearing in foster care. Ron Lucey said “WOW!” in response to this plan. Paul Busby said this is due to GCPD Advocacy. The DFPS report outlines all the details of the plan.

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. **2023 IDD Group Home Provider Survey Findings: *Direct Care Workforce Crisis is Impacting Access to Care & Quality* -** **Sandy Frizzell Batton, Executive Director Providers Alliance for Community Services of Texas & Carole Smith, Executive Director, Private Providers Association of Texas.** Carole Smith addressed the HHSC Medicaid pay rate crisis and group homes. Carole discussed the challenges of finding and retaining staff due to the subpar pay rates for direct care, group home day to day work of doing laundry, meal prep, cleaning, toileting, changing diapers, showering, and brushing teeth in addition to managing medical and behavioral needs. What happened in the 88th Legislative session, the House side budget included an hourly wage rate of $15 for community-based group home workers. The Senate did not recommend the same; the result was funding $10.60 per hour. Sandy Frizzell Battonreportedon a survey on residential options for IDD or related**.** The provider survey demonstrates group homes – in March the expectation was $21/hour. Group homes started closing around Texas. There is very limited support available due to this low pay rate. Group home providers are calling in saying they may have to close. Numbers collected to send to legislators are as follows: 34% of providers have permanently closed group homes or suspended, 61% struggle to meet quality standards/regulatory and 44% of providers have had to turn away new applicants. 20% are temporarily closing facilities for certain shifts and 32% statewide care worker positions are vacant.

Ron Lucey asked Carole Smith what would happen to the residents of Group Homes if they all shut down and going home to their elderly parents is not an option. Her reply was moving the individuals to other areas of the state is a possibility. She gave a presentation at the Capitol to the House staff members. There is no plan and it’s very frightening. In Addition to IDD group homes, this effects nursing homes and home health agencies. There is urgency. Ellen Bauman said we must keep getting in front of legislators. Consumer Directed Services is top of the list.

* 1. **Reducing Time to Process and Improving Communication and Accountability for STAP Applications** 
     1. **Daniel Proudfoot, Tobi Dynavox Regional Director**

Dan Proudfoot, DME provider discussed the issues with the STAP. They want to see a sustainable and world class program for Texans who desperately need this program.

We build and design devices that help people access communication. Some are touch devices, switches, buttons, joy sticks, and eye gaze technology. Solutions Consultants (boots on the ground) meet the people at their homes, schools, clinics, VA medical facilities with complex communication needs. STAP is viewed as the payor of last resort after trying the other methods first (insurance, Medicare, Medicaid) because it will help longevity of STAP. This is a vital program and has benefits to thousands of people. The issue is the application process is currently exceeding 300 days, over 10 months from application, start to finish. Priorities should be given to STAP applicants with a degenerative diagnosis, such as ALS; these individuals should be moved to top of queue as the clock is ticking faster. Mr. Proudfoot discussed vendor proposals what they’d like to see.

Short term: make the application time less than 60 days, develop a new electronic system for tracking applications, triage cases with most severity communication strategy, system for inquiries, and develop an online e-form that more people can access.

* 1. **Family as Paid Caregivers under Community First Choice Program** – Tabled
  2. **Family as Paid Caregiver for 1915(c) Waivers** Tabled
  3. **Waiver Cost Cap**

**Ellen Bauman** discussed a recommendation to raise waiver cap. The hourly rate increase made things worse for the caregiver and the individual who has the waiver. The lack of the cap being adjusted removed the ability to earn overtime. We must get the attention of the legislators. Ron said the impact of this today is huge, it causes people to only receive half the services thus income is cut for the attendant. The next opportunity will be the 89th Legislative Session in 2025.

**Proposed Solution:**

When payment rates for specific services within the 1915 c waivers are raised such as rate for personal care attendants, the total budget for the waiver should also be raised. Can this recommendation be approved with a change in that language? Ron Lucey said to raise cap to be commensurate with future wages and direct staff to do the math.

**Motion** made by Neva Fairchild to move forward this policy recommendation with the amendments Ron suggested. Kristie Orr seconded; motion passed

* 1. **Medicaid Coverage for Interpreters Policy Recommendation**: Increase Medicaid reimbursement for interpreters. Read by Rebecca.

Texas Medicaid program should adjust rates to reflect the true cost of service. Include multiple interpreters when necessary. This will facilitate comprehensive and accurate communication between healthcare providers and Deaf patients, eliminating potential barriers.

Medical services are required to cover interpreter services under federal law. Insurance companies reimburse or send interpreter service providers to appointments. Matt added require private insurance cos. to follow Medicaid rates after those Medicaid rates are fixed. Joseph Muniz asked what state agencies would we turn to? Ron said Medicaid rate review and analysis HHSC and Texas Dept. of Insurance. **Motion** made by Joseph Muniz; Neva Fairchild seconded the motion to adopt. The recommendation, passed unanimously

1. **Executive Director Report and Staff Updates** – Ron Lucey
   1. Transportation Subcommittee – Update / Planning

Eric wants to make another attempt at accessibility requirements for transportation network companies that was denied in the 85th Legislative Session.

* 1. Diabetes Subcommittee – Update / Planning Report will be at next meeting. Evelyn and Ben are doing great work.
  2. You have our performance measures and appropriations and budget. Also, our list of public activities for the past quarter.

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

Ellen Bauman said we will earmark the STAP policy recommendation at the next meeting in January 2024.

1. **Individual Member Reports on Outreach** (*Discussion*) – This item was tabled by the chair
2. **Future Agenda Items and Meeting** (*Discussion/Possible Action*)

Majority voted for location ofBeaumont and date of January 2024.

**Meeting adjourned at 5:08 p.m.**

**Questions** **to Ex Officio Representative for TWC:**

*Budget expenditure related questions were asked, and Claudia does not have the data yet but is working with the finance department to get a report for the last five years.*

Ron Lucey asked Claudia Peden if the forthcoming report would include the data on the money spent from VR budget and how much money had to be returned. *Ellen Bauman* addressed concerns on pay rate of VR Counselors and retention of staff. Claudia said they’ve been doing an analysis at salary on a yearly basis. Ellen also commented on services to clients lacking due to reported lack of funds for VR services. Ellen specifically asked for numbers of the counselor job vacancies, percentages for staffing, and a pay rate schedule. *Evelyn Cano* asked for data from the Summer Earn and Learn program of which individuals out of the 2900 are hired full-time and continuing employment for more than two years. Ms. Key replied that they do not currently have the specific data on this as the program is primarily for training. She can reach out to their board partners and see if they are gathering this data. The idea is that for those individuals who complete the Earn and Learn program they will continue working with Vocational Rehabilitation to pursue employment.

**Question to Ex Officio Representative for HHSC:** During Judge Betancourt’s presentation about Lifelines, Juvenile Mental Health Court, she expressed the tremendous barrier to services due to lack transportation. Ron Lucey asked Clair Benitez if there is any administrative flexibility to serve these Medicaid recipients in the Lifelines program. Can HHSC help provide transportation service even though they are not attending a healthcare program, but a court for juvenile mental health.