**Summary Minutes**

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

**Quarterly Meeting January 25th & 26th 2024**

Region 5 Education Service Center

350 Pine St, 6th Floor - Bluebonnet Room

Beaumont, TX 77701

Meeting Materials Available at: <https://gov.texas.gov/organization/disabilities/committee-meetings>

**January 25, 2024 - Day 1**

1. **Call to Order/** **Roll Call /** **Introductions** – Richard Martinez, Chair Called to order at 8:33 a.m.

**Committee Members** **Present**: Richard Martinez-Chair, Ellen Bauman-Vice Chair, Evelyn Cano, Kristie Orr, Emma Faye Rudkin, Elyse Lieberman, Benjamin Willis, Kori Allen

**Present Online**: Eric Lindsay, Lauren Taylor, Joseph Muniz, Neva Fairchild

**Staff**: Ron Lucey, Rebecca Lopez, Matt Dickens, Norman Kieke

(afternoon), Carolyn Saathoff (staff)

**Visitors**: Tamela Griffin (OOG B&P staff), Josephine and Craig Sullivan, Sarah Hardin, Seth Wells

1. **Welcoming Remarks from Mayor Roy West**

Mayor West welcomed the GCPD and invited Ben Willis to city council meetings. Ben presented a Texas flag to Mayor West. Ron Lucey inquired about a Board on Disabilities for advising the City Council on public safety, emergency management, and economic development. Mayor West welcomed the idea, considering it long overdue and awesome.

1. **Approval of Committee Member** **Absences as Submitted** Neva Fairchild’s morning absence was approved by all GCPD members.

4**. Approval of Summary Minutes for October 25, 2023 – Edinburg**

Eric moved to vote. Kristie seconded. Minutes approved.

5. **Listening to the Beaumont Disability Community**

**a. RISE Independent Living Center - Seth Wells, Executive Director**

Seth discussed lack of access to education and employment opportunities, and said, “transportation is the lynchpin to access for persons with disabilities.” RISE was founded 30 years ago and is a federally funded non-residential center. RISE CENTER’s mission is full inclusion of people with disabilities in every aspect of community life. Seth highlighted Beaumont's transportation challenges: inaccessible bus stops, lack of signage, flooding, and limited paratransit services. Ben suggested a local mayor's committee, and Ron Lucey proposed collaboration with the transit authority. Evelyn asked about veteran transport improvement, mentioning a stand-down program now offering year-round service. Richard suggested exploring grant opportunities via The National Aging Disability and Transportation Center. Seth emphasized the importance of ensuring accessibility to bus stops. Richard announced a Transit EXPO in San Antonio on March 15th–20th. Seth stressed the need for a wheelchair-accessible bus for veterans and expanded routes in Southeast Texas/Beaumont.

**b. The Arc of Greater Beaumont - Sarah Hardin, Executive Director**

Sarah discussed ARC's mission to empower individuals with intellectual and developmental disabilities. ARC of Beaumont, with a staff of four, serves five surrounding counties and offers adult programs like Book Clubs and Art Classes, as well as children and family services such as Parents Night Out and Summer Camp. Specific needs for Southeast Texas include evening transportation and greater housing and job opportunities. Educational support is lacking, with few options beyond high school. ARC members strive to contribute and learn daily. During hurricanes, ARC provides emergency shelter and readiness kits. Ben Willis hopes to establish a mayor's committee by ordinance. Ron Lucey offered information on an Emergency Preparedness program for individuals with IDD, called “Feeling Safe, Being Safe.”. Ben inquired about barriers to college transition, citing lack of information dissemination. Evelyn Cano noted community colleges' unpreparedness and highlighted vocational programs. High schools should have transition-focused staff, according to Elyse Lieberman and Kristie Orr.

1. **Public Comment**

**George Bland** from San Antonio. Discussed his history with TWC VR / DARS, in 2017 he turned to them to help him maintain his job. He related all the history of issues with TWC and employers. Mr. Bland has been out of work for 3.5 years and is languishing. He said he’s constantly being turned away and continually given written forms which he cannot read due to his dyslexia. He’s been waiting for training set up with TWC counselor and desires to work again. He tried to file grievances with the Vocational Rehabilitation Ombudsman and the case manager did not show. George said he’s been lied to by the VR case manager and been told to “not take suicide off the table” three times by his elected official. Richard Martinez said he will personally give George a call the week after the meeting. Mr. Bland said, “The system is broken” and thanked Ron Lucey for saving him.

**Daniel Proudfoot – Tobi Dynavox** spoke about the vital devices used by participants of the STAP program. Texas residents are having to wait 9 to 11 months for “determination” for a communication device. The average wait time for a speech device is 54 days. STAP is currently at 270 days plus. Something needs to be done; it deserves our time, attention, and investment. Mr. Proudfoot suggested it might take finding, hiring, or contracting someone with business acumen to set up the STAP program so that it’s sustainable and efficient. The program desperately needs Information Technology (IT) and infrastructure to distribute, collect and, process STAP applications both on paper and online. Clients, families, and vendors are suffering. The long wait time is because of waiting for the STAP program process. 60 Days should be the max, and 30 days should be HHSC’s goal for processing these applications. Each day that passes is another day a Texas resident in desperate need of communication goes a day without any method to communicate. Ben Willis thanked Mr. Proudfoot for their determination**.**

**Dylan Rafaty – former GCPD Member and** Founder of the North Texas Disability Chamber of Commerce**.** Mr. Rafaty provided updates from North Texas. The Cities of Plano and Allen are adding captions to public broadcasts of their City Council meetings. Richardson Chamber formed an inclusion commission focusing on accessibility, Dallas is launching a disability inclusion toolkit, and the North Texas Commission will introduce a DEI toolkit for corporate leaders addressing Long Term Disability. The North Texas DCC will hold its inaugural meeting in Arlington on February 10, 2024. Dylan thanked the GCPD for their efforts.

**Dr. George Patrin –** Thanked GCPD for support. His mission is to end suicide for uninsured individuals. He requested assistance in healthcare evaluations and stressed the importance of improved access to mental health services. He is trying to help George Bland and has requested to TWC to provide case managers. Dr. Patrin addressed the need for medical staff to understand the mental health system, as many people feel doomed and hopeless; he called for a collaborative effort to address these issues.

**Linda Litsinger – Texas Parent 2 Parent** Addressed three things that are heavy blows to complex children. First, the SHARS Medicaid billing in school has grown so big that Texas is 40% of the nation’s bill. So, they are cutting us off by 3 million per year that won’t go to schools due to improper billing for non-medical education supports. The rules now won’t allow billing for educational services, only medical. This is a complex issue with private insurance and parent access to the EOBs. It’s critical a child doesn’t reach their private insurance lifetime CAP because somebody billed for paraprofessionals. Second, HHSC announced private duty nurses in the home may not be in the home alone. Parents will have to quit work and be home with children. This is a serious blow to the family economics. receiving There’s a February 5th comment period. Third, during the Medicaid unwinding, there seems to be an AI or computer program that’s screening only by income. This limitation is not allowing human interviewing or looking to see that kids are on MDCP or CLASS, so Medicaid is being cut off to the families. Ellen Bauman said this issue will be addressed in the policy recommendation discussions tomorrow.

**Stephanie and Evelyn Clark** thanked the Committee for addressing critical issues facing deaf-blind individuals in hospitals. They emphasized the necessity of intervener services, which facilitate communication between patients and medical staff. These services ensure patients can convey their needs effectively and receive essential care, such as medication administration and preparation for procedures like IV insertion. The presence of an intervener is crucial for maintaining dignity and easing anxiety for patients navigating unfamiliar hospital environments. However, current regulations prohibit intervener services in hospital settings, contradicting the intent of the DBMD legislation. Ms. Clark, who served as an intervener for her brother until his passing, advocates for establishing a Texas DBMD hospital intervener services task force to address this gap in support. HHSC Ex Officio Clair Benitez acknowledged the issue, noting proposed rules to amend Medicaid waivers but highlighting the existing federal prohibition on intervener services in hospitals.

HHSC Ex Officio, Clair Benitez made the comment, “I'm speaking specifically to the deafblind multiple disability’s waiver within Medicaid services. The report as far as the services being suspended in a hospital setting is correct and that is due to a CMS prohibition at the federal level. So currently there are proposed rules to make exceptions to this and changing that waiver, but they're only proposed at this point.”

**7. Reports from Invited ExOfficio Agency Representatives, includes follow up topics from previous meetings**

**a. Department of Family and Protective Services – Brock Boudreau**

Mr. **Boudreau** acknowledged the expertise present and emphasized the importance of understanding before seeking to be understood. He highlighted accessibility challenges, particularly regarding transportation to services, and budget management to meet forecasted needs. He mentioned ongoing efforts to establish a statewide single point of contact for deaf and hard of hearing youth.

Regarding data management, Mr. Boudreau discussed efforts to synchronize IMPACT and STAR Health systems for better information exchange. Ron Lucey inquired about automating data processes, to which Mr. Boudreau expressed the need for seamless integration between systems. Ron Lucey also offered help promoting the hiring of a coordinator for deaf and hard of hearing children, emphasizing collaboration with the Deaf community. Emma Faye raised concerns about missed screenings by primary care physicians, particularly regarding hearing loss, and highlighted community efforts to train personnel on recognizing such issues. Mr. Boudreau expressed hope in pediatricians' ability to identify hearing deficits but acknowledged the need for systemic improvement if screening is lacking. Mr. Boudreau expressed willingness to address gaps in pediatric screening and welcomed collaboration with community stakeholders to ensure comprehensive support for children with disabilities.

**b. Texas Department of Criminal Justice – Karen Hall**

Ms. Hall outlined TDCJ’s adult probation program, focusing on identifying inmates with disabilities before they enter the system. They contract with Texas Tech Health Science Center and the University of Texas Medical Branch to address additional needs during incarceration. Upon release, their reentry department ensures continuity of care for inmates with disabilities. Recent legislative initiatives include reimbursing for lab costs and providing a 90-day supply of medications post-release.

Accessibility initiatives include upgrading hearing aids to binaural behind-the-ear digital devices and teaching braille through their prison school district and braille materials factory. They're developing a training program for correctional staff assigned to behavioral health units. They celebrated World Braille Day and discussed mental health and diversion opportunities in a recent advisory committee meeting. Metrics reveal 264 inmates receiving special education and 21 with 504 accommodations. Around 35,000 inmates are on a mental health caseload, with 6% diagnosed with severe mental disorders. Additionally, 1,200 inmates have physical disabilities, including 247 visually impaired and 268 in wheelchairs. Ms. Hall receives inmate health data primarily from the Texas Uniform Health Status Update, which provides medical and mental health profiles upon intake from county facilities. Ron Lucey commended their comprehensive special education system and inquired about their data sources for identifying inmates with disabilities. Karen mentioned the Texas Uniform Health Status Update as their main data source.

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

**McGuire** reported that in recent months, we've fostered a productive relationship with Megan Young over ECI, focusing on locating babies with visual and hearing impairments to involve both school systems and ECI. We look forward to collaborating further with HHSC on the Blind Children's Program to maximize resource utilization.

Regarding special education, the identification of students and evaluations for services continues to rise. Preliminary data for the 2023-24 school year is pending, but in 2022-23, over 704,000 students received special education services. Initial evaluations increased by 22% from July 2022 to June 2023. We aim for 100% compliance with evaluations and eligibility meetings, achieving 96.9% and 97.2% compliance rates, respectively.

Upcoming proposed rule amendments include transitioning from a non-categorical to a developmental delay category for early childhood students and removing the audiological evaluation requirement for deaf and hard of hearing eligibility. We're also aligning with legislation such as House Bill 3928 for dyslexia services. TEA's reorganization includes consolidating divisions and focusing on mental health initiatives and school discipline under the Office of Special Populations and Student Supports. In 2024, we'll engage stakeholders to rebuild and relaunch our special education strategic plan.

Regarding funding concerns raised by Ellen Bauman, while there are ongoing conversations, services mandated by the IEP must be provided regardless of funding availability. Updates will be provided as concrete plans emerge.

**d. Ex Officio Texas Workforce Commission Claudia Peden**

**Chris Nelson, CFO at TWC**, presented data tables depicting the expenditure history of VR since its transfer to TWC in 2017. Over the past five years, annual spending has increased from just above $300 million to nearly $400 million by the end of 2023, with a notable rise in client service spending. Services such as higher education enrollment, paid work experiences for youth and adults, and expansion of programs like the Older Individuals who are Blind Program (OIB) have contributed to this increase. TWC developed their LAR for the current biennium, maintaining consistent appropriation requests and budgets since 2017.

During discussions, it was highlighted that TWC has not relinquished any funds to the Federal Treasury but has missed opportunities for federal grant money due to insufficient general revenue matching. In 2023 alone, this amounted to $69 million. Concerns were raised about serving medically fragile individuals and IDD clients adequately, with attention drawn to the need for increased caseload capacity and better staff retention through salary adjustments and professional development.

The importance of evaluating the organizational culture and leadership climate to address turnover rates was emphasized by Evelyn Cano, highlighting the need for professional development and effective leadership. Ms. Peden from TWC acknowledged these concerns and mentioned efforts to enhance training programs and community engagement.

Regarding education, Elyse Lieberman advocated for Transition Coordinators in every school to better connect SPED students with vocational rehabilitation before high school graduation. Ellen Bauman inquired about TWC VR's Advisory Committee for input from educators and the community, underscoring the importance of involving stakeholders in decision-making processes. Mr. Nelson stated at the conclusion of his presentation to the GCPD in Beaumont that TWC was confident that they were going to find additional funding for FY 24. When GCPD specifically asked Mr. Nelson if service levels would be the same in FY24 as in FY23, Mr. Nelson responded, “Yes, at least.”  He added that TWC was projecting even slight increases for FY 24 to be slightly above FY 2023 as well.

**e. Health and Human Services Commission – Clair Benitez** provided an overview of the comprehensive report submitted to the GCPD, highlighting initiatives such as the housing navigator annual conference, supported by the MFPDD, aimed at enhancing affordable, accessible, and integrated housing. The report also outlined the success of the Mental Health Self-Directed Care Service Delivery Model, with trials showing improvements in various areas for adults with serious mental health issues. The Aging Texas Well Initiative, focused on preparing older Texans for aging, was discussed, along with upcoming events like the live-streamed meeting on Feb. 7th to address policy issues related to aging.

Updates were given on recent events, including the National Braille Literacy Month celebration and educational sessions hosted by various programs. The expansion of Early Childhood Intervention (ECI) services to additional counties was noted, along with changes to the monitoring procedures for OSEP. The Follow Your Dreams Musical Festival, organized by HHSC's health and specialty care division, was highlighted as a successful annual event promoting artistic expression among participants from SSLCs and state hospitals.

1. **Presentation on Christina Sullivan Foundation Sports Center & Research Institute – Founders Josephine and Craig Sullivan**

Josephine and Craig Sullivan presented the Christina Sullivan Foundation Sports Center & Research Institute, inspired by their daughter Christina. The foundation promotes inclusivity in learning, work, play, and living. It offers modified sports, nutrition programs, and collaborations with UTMB and TCDD for individuals with disabilities. The center is under development. Once constructed, it will also serve as a Red Cross Disaster Relief Center, feature paralympic dorms and serve all of Texas, fostering healthy lifestyles for all ages and abilities. The Sullivans asked the GCPD to form a Recreation Subcommittee to support this vision, with Eric Lindsay volunteering to chair it. They expressed pride in their plans and eagerness to collaborate. The Sullivans plans are extraordinary and they’re looking forward to meeting Eric Lindsay. Ron Lucey suggested any other GCPD members that want to join the Recreation Subcommittee to send an email to staff.

1. **Executive Director Report** 
   1. GCPD Staff Activities – Ron Lucey
   2. Diabetes Subcommittee – Rebecca Lopez/Evelyn Cano/Elyse Lieberman

Ms. Lopez thanked GCPD members Evelyn Cano, Elyse Lieberman. Dr. Steven Ponder, Texas Diabetes Council, and Ms. Deborah Franco and the Texas School Nurses Organization for working to support the subcommittee as we prepared our policy proposal. The proposal is to strengthen and enforce the Unlicensed Diabetes Care Assistant and training requirement to ensure schools with enrolled students with Diabetes have the appropriate number of UDCAs and that the UDCAs receive training annually. Additionally, the subcommittee hopes to develop a Bill of Rights for students with Diabetes. Ms. Orr motioned to vote on this policy recommendation. Kori Allen seconded. The Committee voted unanimously to support this measure.

* 1. Transportation Subcommittee – Ron Lucey
     1. Driving with Disability Law Change Policy Recommendation

Ron Lucey provided updates on the interagency implementation of SB2304 and the Texas Driving with Disability Program. He thanked Emma Faye and Samuel Allen for their work as program spokespersons through PSAs. A policy proposal was introduced to allow voluntary sharing of information about communication impediments between DPS and the DMV. Additionally, a proposed policy would permit certain health professionals, including speech language pathologists, occupational therapists, audiologists, and diagnosticians, to sign off on applications for DPS and DMV as allowable verifiers of disability. Elyse Liberman motioned to vote on moving forward with the proposal, seconded by Eric Lindsey, and unanimously approved.

* 1. Braille Literacy Subcommittee – Neva Fairchild

Ron Lucey thanked Neva Fairchild for volunteering to chair the Braille subcommittee.

Ms. Fairchild reminded us that we have 11,000 blind students in kindergarten through 12th grade and approximately only 400 use braille as their primary medium for literacy. The subcommittee will work to develop recommendations to increase braille literacy.

* 1. Disability Statistics Interactive Map and Website – Rebecca Lopez

Ms. Lopez has been developing a map of disability characteristics in Texas. She presented the interactive map showing disability characteristics in Texas. Staff are still working on it, at this point we have disability statistics down to the zip code. We will be able to filter by disability so you can focus on how many people are deaf, hard of hearing, or have a mobility impairment. This map can be used for emergency management planning! We are working to make it visually accessible and keyboard accessible.

Ron Lucey reviewed the policy process with the committee, describing a planned survey for committee members to rank their policy priorities. Voting to approve policies is the first step in the process, followed by the internal approval process within the Office of the Governor. He introduced Tamela Griffin, our liaison with the Budget and Policy Division. Ms. Griffin will help shepherd policy recommendations through general council and the vetting process. Ron Lucey announced a plan for a half day virtual meeting to review policy recommendations from the 88th Texas legislative session. The administration is recommending a pared down list of top recommendations. Staff will develop a survey for ranking these policies against different metrics. Results of the survey will be reviewed at the policy meeting in March. Ms. Griffin spoke about how having a more structured timeline will benefit all if we have the policy recommendations reviewed earlier and this will allow more time for any minor modifications. Richard Martinez stated that bills for the next legislative session will start to be introduced mid-November.

1. **Presentation on HHSC Specialized Telecommunications Assistance Program (STAP), Bryant Robinson**

Bryant Robinson and Aaron Mowell discussed the STAP program, emphasizing its importance for health and safety. Unlike other states, Texas provides vouchers for new devices or services. Vendors must adhere to strict guidelines, including supplying new equipment, offering demos, and maintaining inventory. The voucher amount decreased due to improved manufacturing processes. Streamlining application processing is underway, with a target of 16 applications per day. Neva Fairchild raised concerns about the lengthy waiting period and the need for additional resources to address the backlog, especially considering the vital role of telecommunications in accessing medical care. Mr. Robinson indicated they have the resources and are working to get caught up.

**Key responsibilities for Vendors**

* Must supply only new equipment.
* Allow returns within 30 days.
* Show demos of equipment and maintain inventory.
* Maintain website of pricing – fairness
* Provide all equipment services authorized on the voucher.
* Ensure that vendor staff have received training on how to do this.

**11. GCPD Policy Recommendations to the 89th Legislature**

**a. Reducing Time to Process and Improving Communication and Accountability for STAP Applications**

To reduce processing time to 30 days, steps include: increasing staff, providing office space, improving infrastructure, implementing an online application system, and enhancing oversight and accountability. Delays are causing critical issues, with some applicants passing away before receiving devices. Applications must be tracked systematically. Until the goal is met, staffing levels should be increased. Temporary workers could be hired through HHSC programs. Current processing times exceeding 270 days are unacceptable given the available budget. Emma Faye motioned to proceed with the recommendation, Richard Martinez seconded, and the motion passed unanimously.

**b**. **Family as Paid Caregivers under Community First Choice Program and Family as Paid Caregiver for 1915(c) Waivers**

Family members who live in the same home have typically not been allowed to be paid caregivers under Community First Choice (CFC) policy. Currently, there is a shortage of personal care attendants across the nation. HHSC has temporarily allowed for family members living in the same home, excluding spouses and parents, to be paid caregivers due to the Public Health Emergency (PHE). This flexibility is set to expire on August 31, 2024. Eric Lindsay added that his spouse as his caregiver provides a better quality of care than anywhere. Ellen Bauman made the motion to adopt this policy for a vote. Ben Willis seconded. All members voted affirmative.

**c.** **Waiver Cost Cap Increases**

Rates for specific services have increased while the total allowed budget remains unchanged, resulting in individuals having to reduce the amount of each service they receive. For the Deaf-Blind with Multiple Disabilities Waiver, the total budget is $114,736.07. The payment rate for personal attendant services has risen from $8.11 to $10.60. With the new rate, an individual receiving 20 hours of personal attendant services either must settle for 15 hours and 18 minutes at the same cost or pay an additional $50 per week to maintain the 20-hour service level. Adjustments to other services are necessary to stay within the total budget. Given the rising costs of living and inflation, payment rates for Medicaid waiver services must reflect these changes to attract quality providers. Adjustments to the total budget are needed to make meaningful changes to payment rates. The motion to vote was made by a committee member who did not say their name, was seconded by Ellen Bauman, and passed unanimously.

1. **Intervener Services While Hospitalized**

Policy proposal to permit intervener services for health, well-being, and safety faces Federal prohibition. Although solid proposals exist, the question arises whether Texas HHSC has the authority to redefine settings rules. Services are suspended upon hospital admission but permitted in the emergency room.

Propose allowing intervener services for health, safety, and well-being for in-patient hospital services, currently prohibited federally. Texas HHSC could potentially redefine settings rules. Services are suspended upon hospital admission but allowed in emergency rooms. Dr. Lieberman motioned to proceed with a vote, seconded by Ellen, and unanimously approved.

1. **Exploring the Systematic Restoration of SSA Disability Benefits and Application for Vocational Rehabilitation**

Inmates receiving Social Security benefits face suspension or termination of payments and medical benefits during incarceration. While suspended benefits can be quickly reinstated, terminated or new benefits require a full application process. Pre-release programs, such as the Medically Recommended Intensive Program (MRIS) under the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI), aid inmates in applying for benefits before release.

Within MRIS, the Special Needs Offender Program (SNOP) provides support for inmates with disabilities. Special Needs Case Workers assist with benefits applications and manage eligibility for release. Upon release, inmates may continue working with the same case worker to extend SNOP support under probation or parole. Delays in Social Security processing may affect release procedures if an inmate is approved for release while their application is pending. TCOOMMI tracks MRIS and SNOP participation but compliance with benefit assistance may vary. Similar collaborations with Texas Workforce Vocational Rehabilitation Services could enhance reentry support.

Support for inmates released from local city and county jails may vary and could benefit from similar pre-release programs. Collaboration between prisons and social services agencies is crucial for successful reentry and long-term support for individuals with disabilities transitioning out of incarceration.

**Friday January 26, 2024 - DAY 2**

**Reconvene** Richard Martinez called the meeting to order at 8:30am

**Visitors:** Kenneth Semien, Sr., Gordon Butler, Jax Evans

**14. Public Comment**

Kenneth Semien, Sr., President of the Beaumont Area Council of the American Council of the Blind, collaborates with Neva Fairchild, President of the Braille Revival League, to address the shortage of visually impaired (VI) teachers and promote Braille literacy. They emphasize the importance of literacy for blind students to lead independent lives. Despite a decline in Braille literacy, they highlight the potential of Braille as a tool for independence and productivity. Mr. Semien stresses the need for more VI teachers and opportunities for blind individuals to enter the teaching profession. Ron Lucey acknowledges the significance of a strong VI teacher workforce and looks forward to advocating for solutions in the legislature. Mr. Semien praises Emily Coleman, superintendent of the Texas School for the Blind and Visually Impaired, for her article advocating Braille literacy, which enlightens and mobilizes support for blind youth's future. Ron Lucey expresses intentions to share Coleman's insights with the committee, emphasizing collective efforts to ensure blind students' success.

**Public Comment - Dawn Moses,** called in testimony about the complex issues in the Texas criminal justice system and having disabilities. She has experienced a “cruel process” here in the state; lost her home, insurance, vehicle, been in jail, suffered a heart attack and a TIA. Ms. Moses became distraught and apologized. Ron Lucey asked her what is the one specific issue today she is asking the committee to address? She said every governmental agency needs to be more accessible to all people. He expressed that the GCPD is sympathetic to her situation and explained that we don’t have resources for criminal issues and your county should provide indigent defense. He offered to ask our Ex officio representative for guidance. Ms. Moses thanked the Committee for their time and apologized for being emotional.

**15. Introduction to the Judicial Commission on Mental Health, Molly Davis, Staff Attorney, JCMH** gave an overview of the JCMH. The mission is to engage and empower court systems through collaboration and leadership to improve the lives of individuals with mental health needs, substance use disorders or intellectual and developmental disabilities. Collaboration, Education, and Leadership are the ways they help folks who cannot navigate the laws.

The Diversion program was funded from grants with extra unused travel money from the Covid years. Three coordinator positions made agreements. Smith, Grayson, and Denton Counties. Ellen Bauman asked about plans to grow this program and if they’re seeking funding now. Ms. Davis said since this was a pilot program, they are not currently seeking funding. After the data is collected and analyzed from the pilot, they will have a better understanding of the need. The mission is to identify folks that don’t belong in jail and can be treated in the community. Ms. Bauman said the IDD community can provide a lot of support for this. Ron Lucey said GCPD supports the JCMH, and our budget may allow some GCPD committee members to travel to these trainings. The 7th Annual Judicial Summit on Mental Health will be in Allen, Texas November 20-22, 2024.

1. **Williamson County Peer Program**, Gordon Butler
   1. Explore Vocational Rehabilitation Rapid Response for determining eligibility for diversion court participants.
   2. Explore transportation funding and grants for diversion courts.

Mr. Butler highlighted six years of impactful work in Williamson County, addressing long-standing issues of jail overcrowding. Their programs targeted various court dockets, proving successful through peer support initiatives. They identified employment as a crucial factor and integrated it into their services. Despite operating on a volunteer basis, they significantly reduced recidivism rates, showcasing tangible improvements.

Their current proposal involves forming a specialized team to assist individuals navigating the justice system, emphasizing intentional interventions. Jax Evans shared her personal journey with a history of mental health issues, foster care, incarceration, homelessness. Her lived experience taught her that education of health and nutrition and coping skills makes a huge impact. She emphasized the importance of peer support and recovery coaching in rehabilitation efforts. They highlighted gaps in services and the importance of sustained support beyond initial interventions. Occupational therapists play a vital role in teaching life skills to clients, including coping mechanisms. The supervisor and health coach aspect of their program significantly impacted overall wellness, promoting long-term stability and recovery.

Looking forward, they envision a holistic approach to rehabilitation and prevention, advocating for education initiatives to provide youth with coping mechanisms, ultimately aiming to reduce recidivism and create a healthier community. Ms. Evans emphasized the importance of prevention through education, highlighting its potential to save future generations from the cycle of incarceration and recidivism.

**17. GCPD Policy Development and Discussion**

**a**. **University Interscholastic League Inclusion of Students with Disabilities in Fine and Performing Arts – Evelyn Cano**

Ms. Cano reported on the history of this case about a student, (Bubba). Evelyn researched UIL standards and rules. Bubba was able to participate in marching contests, with support: UIL for the Arts.

The purpose of UIL is to organize healthy character-building education activities for our four geographical regions. UIL is located at the University of Texas at Austin administrated by the Executive Director. GCPD can request a presentation at a future meeting. If this body recommends, they add a subject matter expert on their board for disability inclusion, 504 and special education. Recommendation: Kristin McGuire voluntarily agreed to research, a vote is not required. Evelyn Cano will work to find a UIL Representative to present at a future meeting. Lauren Taylor said she has lived experience as a student participant in UIL, she was in choir with a disability.

**b. Support for Interlocal Transportation in the Rio Grande Valley and Collaboration with Councils of Governments**

Evelyn Cano presented concern of lack of accessibility from one city to the next in the RGV. There is a regional public transportation advisory panel and committee in the Valley. The lower RGV development council is authorized by the TX Transportation code, it receives state funds for transit. People need to get to doctor’s appointments in the next community but cannot get there; we need support a better interlocal transportation system. Ron Lucey suggested Evelyn Cano and Richard Martinez attend the Texas Transportation Association Expo in March. Evelyn recommended they postpone more discussion until after the transportation conference. Dr. Lieberman asked that Richard Martinez and Evelyn Cano find examples of a successful interlocal agreement while at the TTA Expo. Kori Allen asked to join the conversation. Mr. Martinez mentioned inviting Eric Gleason from TXDOT to a future meeting.

**c. Discussion of Accessibility in the Built Environment and the Texas Accessibility Standards; Accessible Amenities for Little People – Kori Allen**

Kori Allen reported on her study of this issue. There’s a lot of standards that contradict. Some building accessibility standards are a benefit to some individuals, at the same time, a contradiction to different mobility challenges. For example, height requirement of a sink is important for somebody who these to be able to traverse under the sink but for someone who is 3'9”, it means I can't wash my hands. Trying to find ways to make accommodations for both, it's nearly impossible.

One exciting thing in the last month is the Little People of America at the national level created an advisory committee; we have divided ourselves across the United States to look at legislation that might affect us. In the state of Washington, they passed a rule about booster seats, like car seats based on height. So Little People of America wants to pass a rule that applies age with height on a situation like booster seats.

This is the start of a discussion Ms. Allen wants to lead for the Little People of America in Texas and Louisiana. She would like to pull individuals from chapters and brainstorm with her and join our meetings. One person’s accommodation can be another person’s barrier.

**d. Municipal Implementation of State of Texas Emergency Assistance Registry (STEAR) Wellness-Checks During Disasters – Kori Allen**

The STEAR coordinator will conduct verification that wellness checks have been done to ensure that the individuals listed as medically fragile have been notified by the participating jurisdiction.

Kori Allen said the City of Coppell developed a plan to be more compliant with STEAR. Coppell's emergency management department is small, with one person currently managing the program. The City of Coppell conducted scenario-based emergency drills, addressing various communication methods and potential challenges, such as ensuring access to resources for service animals during extended emergencies like power outages or road closures. Ms. Allen said, “we gathered insights from other cities like Corpus Christi and Houston to improve our procedures. Utilizing the voluntary STEAR registry for citizen information during emergencies streamlines our process without requiring ongoing maintenance. Our goal is to ensure we're doing the right thing and meeting necessary requirements effectively while prioritizing citizen safety and well-being.”

**e. Criminal Justice Diversion Programs for Veterans with Disabilities**

Eric Lindsay reported on preliminary research and said he is not sure if this is worthy of a policy recommendation. This morning's presentations on mental health and criminal justice offer valuable insights. Nearly 81% of incarcerated individuals have mental health issues, highlighting the urgent need for intervention and diversion programs. Exploring diversion programs centered around mental health could be beneficial. Rebecca Lopez shared resources from the Texas Veterans Commission, Texas Department of Criminal Justice, Veterans Administration, and Texas Jail Project. Ron Lucey suggested reviewing the veterans' section of our website to ensure these resources are included. Ms. Lopez reported that Texas Veterans Commission has a justice involved veteran program. Some other resources that they provided are from the Texas Department of Criminal Justice, the Veterans Administration, and the Texas Jail Project. She has compiled a resource list for Texas Veterans.

1. **Monitoring of Charter Schools and IDEA and 504 Implementation – Richard Martinez**

Charter schools serve as vital educational options for many communities, but discussions about increasing their number can often become politicized. However, when it comes to providing information for students with disabilities, it's essential to understand any potential differences between traditional public schools and charter schools. Richard Martinez asked the questions: Are there variations in how information is collected and made available? Are there demographic disparities between the two school types? Dr. Lieberman said there’s a separate group now that monitors charter schools and they are making onsite visits across the state.

Rebecca Lopez has conducted research on this matter, and additional resources can be found on the Texas Education Agency's website, including their charter school page, program evaluations, and regulations. Additionally, the Texas Public Charter School Association and relevant conferences may provide further insights into this topic.

Kristin McGuire said TEA will be launching a required training for new charter schools on the essentials of special education. She confirmed that Education Service Centers serve charter schools. Mr. Martinez asked Ms. McGuire to identify someone who could address the Section 504 questions for background. Dr. Lieberman suggested Dr. Pappas for the next meeting.

**g. Medicaid Provider Rates and Provider Network Adequacy** - **Ellen Bauman**

Ellen reported concerns about the MCOs quality from her lived experience with her granddaughter. She gave background of their long journey and the improper processes that caused delays and health complications. There are standards that the MCOs are supposed to meet regarding appropriate medical provider specialty and locations. The reimbursement rates must be increased. If we need legislative action, Ellen will lead the charge if the committee chooses to take this up.

Ron Lucey said, “we have a policy recommendation in our report that deals with adequacy and going out of network. This policy recommendation will be very complex to implement.”

Staff suggested developing a pilot initiative for specific Medicaid services such as audiological services to identify regions in network. A pilot program will help identify business processes and payment methods with out of network providers. Clair Benitez said there’s a complaint process to hold the MCOs accountable and she will get back to the committee on that. She said there’s a document HHSC uses, “The Pink book for Medicaid.”

Ms. Rudkin commented that this has created an infrastructure of bad doctors and good doctors. She motioned to create a subcommittee on reimbursement rates and equitable care. Martinez Richard seconded. Ellen Bauman and Emma Rudkin plan to be on this subcommittee.

**h. Follow up on Course Withdrawal Limits for Higher Education Students – Kristie Orr**

This topic came up in public comment from the October meeting. A parent expressed concerns about Senate Bill 1231, which limits higher education students to six course drops without academic penalty. Research Specialist, Rebecca conducted research on the matter, finding that exceptions are possible for students who demonstrate good cause, although details remain unclear. The Texas Higher Education Coordinating Board oversees these rules, and exemptions are typically granted on a case-by-case basis. Good cause exemptions are often generous, allowing students to exceed the six-drop limit if warranted. However, the process for obtaining exemptions, particularly for students with disabilities, may not be widely advertised on college campuses. GCPD Disability Rights Coordinator, Matt Dickens added that an appeal process is typically required, potentially presenting a barrier for students with disabilities. Despite the existence of exceptions, Kristie Orr noted that she has never seen a student request an exemption in her 25 years at Texas A&M University, raising questions about awareness and accessibility of the process for students.

Ron Lucey commented that sometimes students don’t know they can ask for an additional drop beyond the six due to mental health or other health issues. A student might be in crisis. There should be exceptions.

Ms. Orr commented that we encourage or require there be notification to students that this is an option. This recommendation should be supported through a Higher Education Coordinating Board rule or however that works. Ms. Orr expressed concern that there is a process and students don't know about it.

**i**. **Education policies to address allergies in K-12 –** **Elyse Lieberman**

Dr. Lieberman wants to bridge the diabetic committee work and come up with best practices and FAQs relating to severe allergies and focus on anaphylaxis. Rebecca Lopez reported on a resource called the Texas Guide to School Health Services Health Conditions report. This report focuses on anaphylaxis and other allergies facing students. The State Honor Roll report shows which criteria are and are not being met in Texas. Ron Lucey said staff will send this report to the whole committee, look at the gap of where Texas is not shining bright and focus on those things. Campuses should be as safe for a student with allergies as it is for any other student. Kristie Orr mentioned Food Allergy Research Education (FARE) is a good resource and has toolkits for K-12. Dr. Lieberman said in her district they did some practical things, like providing EpiPens in the hallways, a life saving measure.

18. **Future Agenda Items and Meeting**

The Next Quarterly Meeting will be in Amarillo in April 2024.

A virtual policy review meeting for late March was discussed. Ron Lucey said possible content could include employment in west Texas. A&M University has a program called AgrAbility, a project providing services to individuals with disabilities, that would be a good model to explore.

Other possible agenda items for Amarillo are incentives for diagnostician training programs to address the shortage in public schools such as for grant options with university internships.

19. Meeting adjourned at 12:52 p.m.

| **Meeting Follow-up and Action Items** | | |
| --- | --- | --- |
| **Topic** | **Action** | **Responsible Party** |
| **UIL Inclusion for Fine Arts and Performing Arts** | **Kristin McGuire, TEA**, will look internally at the possibility of a one-page FAQ, **Evelyn Cano** will work with Kristen McGuire on this. Evelyn Cano said they need the current rules for SPED students participating in UIL if they are in the Fine Arts credit registered as a marching band student. | Kristin McGuire – TEA Ex Officio  Evelyn Cano |
| **Support for Interlocal Transportation in the Rio Grande Valley** | **Ms. Cano and Chair Martinez** plan to attend Texas Transit Expo in San Antonio and will report on it at the next meeting.  **Richard Martinez** suggested GCPD invite **Eric Gleason** with TXDOT to a future meeting. | Evelyn Cano, Richard Martinez |
| **Accessibility for Little People in the Built Environment** | **Norman Kieke** will contact TDLR to check on anything that addresses the needs of Little People. He will also attempt to find a best practice in any other states. | Norman Kieke – GCPD Staff |
| **Criminal Justice - SS and VR** | Relating to the timing of application for Social Security and VR benefits prior to re-entry, **Ron Lucey** asked the Committee members if they’d like to do a line of inquiry for a future meeting with TDCJ to the Committee. The GCPD unanimously voted yes. | Ron Lucey – GCPD Staff |
| **Charter Schools and IDEA and 504 Implementation** | **Richard Martinez** and **Elyse Lieberman** plan a discussion on charter schools and update the GCPD at the next meeting. | Richard Martinez, Elyse Lieberman |
| **Veterans Criminal Justice Diversion Programs** | Review our key laws veterans’ section of website to make sure the mentioned veteran’s resources are listed there. | GCPD Staff |
| **Diabetes in school students K-12** | Develop a Bill of Rights for students with Diabetes. | Rebecca Lopez – GCPD Staff |
| **Medicaid Provider Rates** | Form a subcommittee on reimbursement rates and equitable care to be chaired by **Ellen Bauman, Emma Faye** **Rudkin** will be on this subcommittee.  There are standards that the MCOs are supposed to meet regarding appropriate medical provider specialty and locations. Staff suggest a  pilot program to help identify business processes and payment methods with out of network providers. **Clair Benitez** said there’s a complaint process to hold the MCOs accountable and she will get back to the committee on that. She said there’s a document HHSC uses, “The Pink Book for Medicaid.” | Ellen Bauman, Emma Faye Rudkin  Clair Benitez – HHSC Ex Officio |
| **Higher Education Students Withdrawal Limits** | Improve accessibility and awareness of flexibility in dropping college courses. Good cause exemptions do exist, allowing students to exceed the six-drop limit if warranted. The process for obtaining exemptions, particularly for students with disabilities, is not widely advertised on college campuses. | GCPD Staff |
| **Allergies in Schools K-12** | GCPD staff will send the [Texas Guide to School Health](https://www.dshs.texas.gov/texas-school-health/texas-guide-school-health-services/health-conditions-texas-school-health) report to the whole committee, look at the gap of where Texas is not shining bright and focus on those things. **Dr. Lieberman** will read the DHS report from the Texas Guide to School Health first and determine what the gaps are systemically. The goal will be to develop an FAQ or training guide that school administrators can understand. **Dr. Lieberman** and **GCPD staff** will put together a subcommittee on this topic. | Elyse Lieberman, GCPD Staff |