

Disabilities Advisory Council Minutes



Meeting: Disabilities Advisory Council
Date: 10/29/13
Start Time: 2:00 P.M.
End Time: 4:00 P.M.
Location: Conference Room 1045
 Multi-Agency State Office Building
 195 North 1950 West
 Salt Lake City, UT 84116
Type of Meeting: Regular Monthly Meeting

<u>Members:</u>	<u>Present:</u>	<u>Excused:</u>		<u>Present:</u>	<u>Excused:</u>
Deborah Bowman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	John Westling	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shane Sadler	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Paul Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kristen Chapman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Krissie Summerhays	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peggy Augustine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Joseph Taggart	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marsha Colegrove	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Dustin Ereksen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Larry Valdez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tonya Hales/ Josip Abrenac	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion to accept Minutes:

Krissie presented a motion to accept the September 24th meeting Minutes with proposed amendments. Minute changes will be submitted to Ryan Carrier for correction. Tonya; seconded the motion and the Minutes with proposed amendments were unanimously approved.

Clair Abee presents information on U.S. Department of Labor's proposed rule change:

The U.S. Department of Labor has finalized a Rule change regarding domestic employees. Domestic employment in and about the home includes many tasks one might commonly consider. DSPD is not sure how the accounting for hours will take place such placements as in host homes or professional parent homes. A lot of questions are currently being raised about how the Rule will affect the future.

One consideration: it doesn't matter what the person's title is as much as what they are doing that defines their employment status. The law has given exemption for overtime pay in the past for related family members. The Division has required at least minimum wage for direct care staff, but previously capped the working day to 6 hours. The Division will have to review its services codes over the next year to assure they are in compliance with the new Rule. In the provider model it is the shift-based employees that would normally have potential for overtime pay. See handout for highlighted codes the Division believes might be of concern (SL1, HHS, etc).

- **Amie Richards from the Division:** The (provided) handout presents possible problems the Division might need to consider. DSPD would like to get more information from host homes and traditional providers by means of two possible surveys sent to the providers and the fiscal agents.
- **Krissie:** Are the hours per person in services or per employee?
 - **Amie:** We don't have that data available, so this is based on the worst case scenario

The change in the law will require that host homes have to track and account for all hours worked. They did not address the issue of foster care, where most states are at risk.

- **Dustin:** Is there a way for providers to meet with the DSPD to discuss this issue?
 - **Paul:** DSPD can do that.
- **Deb:** Can the SAS families also be informed on these concerns?
- **Paul:** DSPD can start a work group on this issue with possible quarterly updates. DSPD will wait on the survey until the work group has met.

Chad Midgley from the Division presents the Annual Report's Council page:

- **Deb:** The information is great. Change the name of the Council from "Disability" to "Disabilities" Recommend providing similar tenses throughout.
- **Tonya:** Clarification of identification of Medicaid recipients.
- **Joseph:** Suggestion to footnote change

Paul Smith reviews the public meeting training:

The provided PowerPoint has great information to review for those on the Council to understand and adhere to the rules for hosting a Public Meeting.. The overarching theme is that the public is able to get information and provide feedback. One topic covered of interest is the requirements for a closed meeting.

Directive of Human Rights feedback to be provided by Nathan Wolfley:

Deb: I'm curious how the council members will be selected

Nate: I believe that will be described in the guidelines

Paul Smith addresses possible DSPD Phone Tree options:

We want to make sure people know how to get in touch with DSPD. How best do we deal with this issue? 211 or a 1-800 number? We are also aware of waste in duplicating functions from other groups such as 211. Does the Council perceive any problems utilizing 211?

- **Tonya:** Using 211 is a seamless phone call. I think it is a great idea because it increase publicity of other services. DSPD could have a discussion with Aging.
- **Deb:** Is DSPD considering funding to provide technical assistance?

- **Paul:** The fiscal note attached was for DHS.

Other issues:

- **Krissie:** The service descriptions are not listed on the DSPD website.
- **Deb:** Has there been any word of a new waiver eligibility for children where parent income is considered?
 - **Tonya:** No.
- Deb asked that the December meeting be rescheduled so that it does not fall on Christmas Eve. The meeting was moved to December 17th at 2:00pm

Future agenda items:

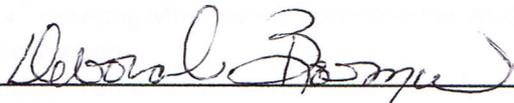
Self-administered Respite-**Deb**

Monitoring Work Group will have a public meeting on December 4th at 2pm)-**Dustin**

Discuss the HHS interim meeting at our next meeting November 26 at 2pm-**Tonya**

Motion to Adjourn – Seconded and Adjourned

The next meeting will be: December 17th at 2:00pm at the Multi-Agency State Office Building, Conference Room 1020C

Minutes Approved 
Chairperson Signature

With Amendment or, Without Amendment