**Virginia Board for People with Disabilities**

**Policy Advisory Committee (PAC) Meeting Minutes**

***March 10, 2021***

**Committee Members Present:**

Phil Caldwell

Dennis Findley

Samantha Hollins

Sarah Kranz-Ciment

Rachel Loria

Dawn Missory

Eric Raff

Caroline Raker

**Committee Members Absent:** Ann Bevan

Parthenia Dinora

Felicia Hamilton

Deanna Parker

Maya Simmons

**VBPD Staff Present:**

Nia Harrison

Clare Huerta

Teri Morgan

Linh Nguyen

**CALL TO ORDER & REVIEW OF AGENDA:**

The Chair, Mr. Phil Caldwell, called the meeting to order at 10:39 am. At this time, only six members were present. Mr. Caldwell noted that the approval of meeting minutes would be moved to later in the agenda, in order to allow time for the committee to reach quorum.

**REVIEW OF EXECUTIVE COMMITTEE MEETING:**

Mr. Caldwell provided highlights from the Executive Committee meeting.

**SUPPORTED DECISION-MAKING PRESENTATION:**

Ms. Dana Traynham, a Senior Attorney from the Disability Law Center of Virginia, gave a presentation on supported decision-making (SDM). She had an interactive discussion with committee members on presumed capacity, ways an individual can lose that presumption, and the alternatives to guardianship.

Following the presentation, Ms. Traynham had a question and answer session, with Mr. Caldwell as moderator. The discussion focused on the advantages and disadvantages of state legislation to formalize supported decision-making, the impact of guardianship on compliance with the home- and community-based settings rule, the role of an authorized representative versus power of attorney or advanced directive, and how to determine where an individual falls on the continuum of capacity.

**APPROVAL OF MEETING MINUTES**

Mr. Caldwell noted that there was a quorum and called for review and approval of minutes from the last committee meeting. Mr. Dennis Findley made a **MOTION** to approve December 2020 meeting minutes, and Dawn Missory **SECONDED**. The **MOTION** was carried unanimously.

**ASSESSMENT UPDATE:**

Ms. Clare Huerta and Ms. Harrison provided updates on the upcoming Residential, Day and Employment, and Institutional Supports Assessments. They gave a brief description of the current standing of each assessment, and the general timeline for assessment development. Mr. Findley suggested Ms. Huerta include findings from a study group report that resulted from the 2020 General Assembly Senate Bill (SB) 213.

Mr. Caldwell requested volunteers for an ad hoc committee to review the assessment recommendations. No members volunteered. Mr. Caldwell noted that he would volunteer if necessary.

**PROJECT LIVING WELL UPDATE:**

Ms. Linh Nguyen provided an update on trend report development. Statistics on Project Living Well webpage traffic and report downloads were also provided.

**POLICY/LEGISLATIVE UPDATE:**

Ms. Harrison gave an overview of the Board’s recent Covid-19 advocacy activities and recommendations, along with implementation status. Ms. Huerta gave an abbreviated report on the Board’s activities in the 2021 General Assembly Session. This committee was also informed on the Board’s intent to comment on the Marcus Alert Program. Ms. Samantha Hollins and Mr. Caldwell thanked the staff for their work in sending periodic legislative updates to board members.

**COMMITTEE FEEDBACK/FUTURE MEETING TOPICS:**

Mr. Caldwell asked committee members for comments or requests for future presentations. Mr. Findley expressed appreciation of the SDM presentation and suggested educating Board members, and others, about abuse and neglect cases. He noted that complaints are investigated by the providers themselves, which presents a conflict of interest, and that the appeals process is very onerous. Consequently, only three cases across all service settings statewide have been appealed. Mr. Caldwell explained how this may be a result of the structure of the DBHDS’ human rights process. Mr. Caldwell suggested hearing related presentations in future meetings from both DBHDS and Adult Protective Services. Ms. Harrison stated that the Board may be able to address this topic in the forthcoming Institutional Supports Assessment.

**ADJOURNMENT:**

The Chair adjourned the meeting at 12:09 PM.