**Virginia Board for with Disabilities**

**Board Meeting Minutes**

***March 13, 2019***

The Virginia Board for People with Disabilities held its regular quarterly meeting on Wednesday, March 13, 2019, at the Four Points by Sheraton Hotel, 4700 South Laburnum Avenue, Richmond, Virginia.

**BOARD MEMBERS PRESENT:** Ann Bevan, Randy Burak, Phil Caldwell, Theresa Casselman, Allison Coles-Johnson, Alexandra Dixon, Ethel Paris Gainer, Donna Gilles, Felicia Hamilton, Ray Hopkins, Jocelyn Kilgore, Sarah Kranz-Ciment, Donna Lockwood, Rachel Loughlin, Eric Mann, Mary McAdam, Henry “Hank” Millward, designee for Doug Cox, Alexis Nichols, Deanna Parker, Eric Raff, Caroline Raker, Cindy Rudy, Summer Sage, Matthew Shapiro, Maya Simmons, Alexus Smith, Frederique Vincent, Travis Webb

**BOARD MEMBERS ABSENT:** Dennis Findley, John Kelly, Richard Kriner, Dawn Missory, Christopher Nace, Katherine Olson, Jamie Snead

**CALL TO ORDER, WELCOME AND INTRODUCTIONS:** Board Chair, Ms. Mary McAdam, called a **MOTION** to call the March 13, 2019, Board meeting to order at 1:10 p.m. Mr. Matthew Shapiro made a **MOTION** to **APPROVE,** and Ms. Alexus Smith seconded. The **MOTION** carried. The Chair welcomed Board members and guests and asked them to introduce themselves. The Chair then reviewed the housekeeping notes.

**LUNCHEON PRESENTATIONS:** Dr. Sweetenburg-Lee, Director of Training and Alumni Development Programs introduced the luncheon presentation, an update from the Alumni Development Program (ADP) chapter leadership, beginning with an ice-breaker. Each Chapter Chair or Co-Chair introduced themselves and gave a presentation on their r meetings, activities, successes, challenges and solutions to those challenges. All highlighted DD Day at the General Assembly, conducted in coordination with the Arc of Virginia, as a success. Dr. Sweetenburg-Lee, Chairs and Co-Chairs responded to questions and comments.

Board Member Ms. Jocelyn Kilgore thanked the presenters for their updates, and Dr. Sweetenburg-Lee and the Chair thanked the Chapters for their participation in the Board meeting.

**APPROVAL OF December 5, 2018 MINUTES:** The Chair asked if there were any changes to the December 5, 2018, Board Meeting minutes. None were noted. The Chair called for a **MOTION** to **APPROVE.** Matthew Shapiromade a **MOTION** to **APPROVE** the minutes, andRachel Loughlinseconded. The **MOTION** carried unanimously.

**PUBLIC COMMENT:**  There was no public comment.

**APPOINTMENT AND NOMINATION COMMITTEE:** The Chair advised the Board that she had appointed the following individuals to the Nominations Committee: Ms. Deanna Parker, Mr. Richard Kriner, and Ms. Alexis Nichols. She noted that the Committee would put forth the slate of officers and at-large members for a June vote. The Chair thanked the committee members for serving. Ms. Heidi Lawyer, Executive Director, stated that for those who are interested in serving in a leadership position there are some requirements, and that she would forward the relevant policy to the Committee. She asked that those interested in serving contact a member of the Committee.

**LEGISLATIVE SESSION UPDATES:** Mr. John Cimino, Deputy Director, gave an update on the 2019 legislative session. Mr. Cimino advised the Board of the different bills that the Board had monitored or with which it had been engaged. He noted that he had spent most of his time on HB 2296, a Notice and Cure bill that would put a greater burden on persons who are blind, vision impaired, deaf or hearing impaired to wait 120 days before filing a lawsuit against a credit union or other financial institution if their website is inaccessible. He discussed the advocacy activity around this bill and noted that the bill, which passed, in a slightly different form, was awaiting Governor’s action. He noted a similar bill failed last year which also sought to weaken the Virginians with Disabilities Act and that these bills would probably continue to come forward as there are efforts at the federal level to weaken the Americans with Disabilities Act. Ms. Lawyer asked Mr. Cimino also to mention any relevant budget actions which he did, including that for the first time in recent memory, the General Assembly did not approve additional waiver slots, other than reserve slots, for the DD waivers. Ms. Lawyer also made some comments on budget actions.

**AD HOC ASSESSMENTS COMMITTEE RECOMMENDATIONS:** Mr. Cimino, reported on the Disability Assessment findings and recommendations that were developed by the Ad Hoc Assessment and Recommendation Committee and were further amended in the Policy & Research and Evaluation Committee **(**PRE). He referenced Supplemental Packet #1 that was sent out with the Board Packet that contained the recommendations and explanations. He noted that there were several amendments and revisions. Mr. Cimino asked the Board if they had recommendations on Early Intervention and Community Living. Feedback was provided, and amendments were made based on the Board feedback. Mr. Cimino and Ms. Lawyer responded to further comments.

The Chair called for a **MOTION** to approve the Board Assessments Recommendations with the agreed-upon amendments as made by the PRE Committee. The **MOTION** carried unanimously.

**PRESENTATION:** Steven Traubert, Litigation Director, with disability Law Center of Virginia (dLCV) presented on the results of the Board grant to dLCV Improving Transportation Planning in Cities and Counties and Increasing Access to Community-based Healthcare. He reported on the project goals and objectives and provided information on the results achieved. Although not all of the project objectives were attained, there were numerous accomplishments, including many that were unanticipated. Mr. Traubert provided Board members with a flash drive that included the transportation accessibility survey tool kit which members can use to survey sites. He noted the importance of the volunteers who participated in the effort. dLCV will be providing data to the Board for the next two years. Mr. Traubert responded to questions and comments.

**STANDING COMMITTEE REPORTS**

**EXECUTIVE COMMITTEE MEETING:**  The Chair asked if there were any questions regarding the activities of the report of the Executive Committee. There were none.

**REPORT OF THE ADVOCACY, OUTREACH, AND TRAINING COMMITTEE**

Mr. Matthew Shapiro, Committee Chair, made the following report.

**CALL TO ORDER:** The Chair called the committee to order at 9:15 a.m.

The Chair called for a **MOTION** to approve the December Committee minutes. Ms. Ethel Paris-Gainer made a **MOTION** to approve the minutes, and Ms. Caroline Raker **SECONDED** the **MOTION**. The **MOTION** carried unanimously and the December meeting minutes were approved as written.

**EXECUTIVE COMMITTEE:** The Chair provided an update on the Executive Committee meeting.

**TRAINING PROGRAMS UPDATE:** Dr. Penni Sweetenburg-Lee, Director of Training Programs, briefly explained the recruitment efforts and status of the application process for the 2019/2020 Partners in Policymaking (PIP) program. Dr. Sweetenburg-Lee explained that the PIP selection committee members had been identified and the committee is tentatively scheduled for April 17, 2019. Dr. Sweetenburg-Lee noted that her unit and the administrative team had been working with DARS procurement on a Request for Proposal (RFP) for the hotel for PIP. Three proposals were received, but only one remains as a possibility. Dr. Sweetenburg-Lee had no report on the Youth Leadership Academy (YLA) because there is no YLA in 2019.

**ALUMNI DEVELOPMENT PROGRAM (ADP):** Dr. Sweetenburg-Lee discussed the efforts of the regional Alumni Development Program (ADP) chapters to encourage members to participate in grassroots advocacy. She explained that the ADP was now completing its third year and that chapter leadership teams were invited to give reports to the Board. Representatives from three of the regional chapters (NOVA, TARC, and SWA) presented on their meetings and advocacy efforts from throughout the year. They also discussed the challenges faced and offered possible solutions that could be implemented going forward. Dr. Sweetenburg-Lee presented on behalf of the Central Virginia chapter as their leadership could not attend the Board meeting.

**EVENT SUPPORT APPLICATION:** Mr. Benjamin Jarvela, Director of Communications, explained the details of the event and the application from the Virginia Department of Elections for an Accessible Voting Engagement Expo on April 30, 2019, at the Henrico Recreation Center. Discussion ensued. Mr. Eric Mann made a **MOTION** to support at $2,000. Ms. Kranz-Cement **SECONDED** the **MOTION** at $2,000. The **MOTION** carried unanimously to fund the event at $2,000.

**EVENT SUPPORT POST-EVENT REPORTS:** Mr. Jarvela gave Ms. Nia Harrison’s report on the Oral Health Coalition event which the Board funded at $1,500 and reported that Board staff and event attendees agreed the event was a successful investment. Mr. Eric Raff, Director of the Virginia Department for the Deaf and Hard of Hearing (VDDHH), gave an explanation of the VDDHH event that the Board funded at $2,200 and commented on the success of the session. Mr. Raff felt that it was a successful Board investment, and that it would be beneficial to hold the same event in other regions throughout the state. Ms. Dixon and Ms. Alexis Nichols gave a report on the Down Syndrome Association of Greater Richmond event that the Board funded for $2,500, and discussed the successful elements of the event. Ms. Dixon expressed her reservation in funding or attending events about various disabilities that do not directly involve persons with disabilities in the planning, programs, or presenter positions. An extensive discussion ensued, and the need to ensure cultural and linguistic diversity was also discussed, Board staff agreed to review the modification the Event Support Application and the application window and process and return to the Board in June with suggestions.

**COMMUNICATIONS UPDATE:** Mr. Jarvela gave an abbreviated version of the Communications Update due to time constraints for the meeting, but reminded committee members that he would be available to discuss further and answer questions any time throughout the rest of the day or via email.

**ADJOURNMENT:** The Chair adjourned the meeting at 11:32 a.m.  
  
[For the full details, see the AOT Committee meeting minutes for March 13, 2019.](https://www.vaboard.org/boardmeetings.htm)

The Board Chair called for a **MOTION** in the Full Board Meeting to approve funding the Virginia Department of Elections for an Accessible Voting Engagement Expo as recommended by the AOT Committee. The **MOTION** carried unanimously. Matthew Shapiro responded to questions and comments.

**REPORT OF THE POLICY & RESEARCH AND EVALUATION COMMITTEE**

The Committee Chair, Ms. Felicia Hamilton, provided the PRE Committee updates.

**CALL TO ORDER:** The Committee Chair called the meeting to order at 9:19 am.

**EXECUTIVE COMMITTEE UPDATE:** The Committee Chair provided an overview of the major topics discussed during the Executive Committee meeting.

**2019 ASSESSMENT RECOMMENDATIONS:** Discussion of the Early Intervention and Community Living Assessment recommendations occupied the bulk of the meeting. A number of amendments to the recommendations were made, as discussed previously.

**POLICY/LEGISLATIVE UPDATE:** The Committee agreed in the interest of time to delay the discussion of the legislative session until the full Board meeting. There was a discussion of reported reductions in hours for families that rely upon personal care hours through DD Waivers and avenues for individuals and families to address this. This topic will be revisited in future meetings.

**ADJOURN:** The Committee Chair adjourned the meeting at 11:39 am.

[For the full details, see the PRE Committee meeting minutes for March 13, 2019.](https://www.vaboard.org/boardmeetings.htm)

**REPORT OF THE INVESTMENT & STATE PLAN OVERSIGHT COMMITTEE:**

The Committee Chair, Theresa Casselman, reported the following:

**REVIEW OF EXECUTIVE COMMITTEE MEETING:** Ms. Casselman provided an update on the Executive Committee meeting.

**PRESENTATION ON DISABILITY RESOURCES GUIDE TRANSLATIONS:** Ms. Diane Monnig, Transition Manager with The Arc of Northern Virginia, presented an overview of the Increasing Access to Disability Resources in non-English Languagesgrant project.

**GRANT EXPENDITURE UPDATE:** Mr. Jason Withers, Grants, Contracts, and Program Information Manager discussed grants and contract expenditures for six projects: 1) The Development of Adult Curriculum on Critical Decision-Making Points for Students with Disabilities project through the Virginia Department of Education (VDOE); 2) The Improving Health and Wellness through Empowerment project with James Madison University (JUM); 3) The Communication & Health Advocacy Training project with Virginia Commonwealth University (VCU); 4) The Next Move project with William & Mary; 5) The Promoting Integrated Employment with ABLES Teams project with Virginia Commonwealth University; and 6) The Building Inclusive School Communities through Culture Shift, Collaboration, and Coaching project with Radford University

These projects and expenditures were referenced in Attachment ISP 4-2.

**APPROVAL OF LOIs for COMPETITIVE GRANT RFPs:**

Ms. Casselman summarized the Grant Review Team (GRT) process undertaken, advising that eighteen Letters of Interest (LOIs) were received in connection with the Board’s FFY 2019 Competitive Request for Proposals (RFP). Of the eighteen LOIs received and reviewed, the GRT selected eight to submit full proposals. Full proposals are due by April 25, 2019, at 4:00 PM. The GRT will convene on May 13, 2019, to discuss the proposals and make funding recommendations at the June 12, 2019, Board meeting.

**APPROVAL OF SOLICITED PROPOSAL RECEIVED FROM DCJS:**

Mr. Withers explained that the Grant Review Team (GRT) met on January 23, 2019, to review the DCJS proposal in the amount of $213,718. Following its review, the GRT recommended the DCJS proposal for funding. The DCJS solicited proposal was referenced in Supplemental Packet #2. The Chair called for a **MOTION** to approve funding the DCJS proposal. Since the motion originally came from the GRT, a second was not needed. The **MOTION** carried unanimously.

**2017-2021 STATE PLAN PROGRESS REPORT:** Ms. Harrison briefly discussed the Board’s performance towards its Q1 FFY 2019 Work Plan activities

[For the full details, see the ISP Committee meeting minutes for March 13, 2019.](https://www.vaboard.org/boardmeetings.htm)

The Board Chair called for a **MOTION** in the Full Board Meeting to approve funding the DCJS proposal as recommended by the ISP Committee. The **MOTION** carried unanimously.

**AGENCY REPORTS:**

Agenda representatives who were present provided oral reports. Ms. Lawyer reminded the Board members that they were provided written reports by email from most of the agencies. Those are incorporated into the minutes below as submitted by the agencies.

**Department for Aging and Rehabilitative Services,** Richard Kriner, Agency Designee  
Mr. Kriner provided this written report but was not present to provide a verbal report.

**CPID grant brings new opportunities to Virginia**

Career Pathways for Individuals with Disabilities began with a $4.3 million federal grant from the U.S. Department of Education.

Led by the Virginia Department for Aging and Rehabilitative Services and the Virginia Department for the Blind and Vision Impaired, this grant will help nearly 500 Virginians with disabilities, including young adults and veterans, gain new skills and credentials through Career Pathways to seek employment in competitive, high-demand, and high-quality occupations.

Career Pathways for Individuals with Disabilities has ten project partners in education, workforce development, and business. These partners focus on strategies to:

* meet business needs in high-demand occupations
* meet career seekers' needs to attain marketable credentials and find middle-skilled jobs
* train vocational rehabilitation counselors to work with potential clients

**Academies**

CPID sponsors job skills academies around Virginia on topics such as robotics and CNC machining to create a pipeline of qualified, credentialed candidates for high-demand manufacturing jobs.

2019 ACADEMIES

* Robotics June 23-28 VRCBVI, Richmond
* Cybersecurity April 18 July 11 DARS, Fairfax
* Credential Fair for Welding May 7 Peninsula Career Works
* Coding July 23-24 Service Source, Oakton
* Adult Welding July 15-19 New Horizons Center, Hampton
* Adult Intro to IT July TBD

[**Learn about CPID programs and activities**](https://www.vadars.org/gsp/cpid/cpid_home.htm)

**2018 Champions of Disability Employment**:

Each year DARS recognizes individuals and organizations throughout Virginia who have proven themselves to be Champions of Disability Employment because of their contributions towards reducing barriers to employment and promoting the value that individuals with disabilities bring to the workforce. We are proud to celebrate our 2018 class of Champion partners. We invite you to contact your area [Business Development Manager](http://www.vdars.org/team.htm) to learn how your business can make this list.

ARAMARK – Virginia Commonwealth University, VCU Health  
AmeriCare Plus, Orange  
Masco Cabinetry, Culpeper  
Rappahannock-Rapidan Community Services  
City Table, Petersburg  
Lowe’s, Chester  
Hooter’s, Chester  
Randstad, Disputanta  
Standard Motor Products, Disputanta

Army & Air Force Exchange Service, Newport News  
James River Grounds Management, Portsmouth  
Krispy Kreme Doughnuts, Virginia Beach  
Piccadilly Cafeteria, Newport News  
PORTCO Inc., Portsmouth  
Uncle Dave’s Kettle Korn, Williamsburg  
Winchester Medical Center  
Lowe’s of Fredericksburg

**Pre-Employment Transition Services updates (Pre-ETS)**

Partnerships with several current DARS vendors have been expanded to include pre-employment transition services (Pre-ETS).  An additional nine Employment Service Organizations (ESOs) and two Centers for Independent Living joined the Pre-ETS vendor pool for a total of 17 vendors across the state partnering with DARS to expand and enhance critical pre-employment services for students with disabilities.

February was student job shadow month at DARS.  Through the great work of DARS field office staff and collaboration with local school divisions and a handful of ESOs, over 350 students participated in shadowing experiences.  DARS partnered with 60 employers across the Commonwealth for these experiences.  Included among the many highlights were students: increasing their knowledge about the world of work, career opportunities, and postsecondary training paths; engaging in hands-on opportunities to try work tasks; being invited to return for work experiences, and applying for part-time employment.

**Virginia No Wrong Door**

In early 2019, DARS received a two-year ACL No Wrong Door Business Development grant that will offer a series of training activities to credential up to four Person Centered Thinking (PCT) trainers in Virginia. The two-day PCT training will be delivered by a current mentor certified by The Learning Community for Person Centered Practices. Once trained, these new PCT trainers will develop and sustain a person-centered, trauma-informed training for the LTSS workforce and the NWD network.

During the grant period, the PCT trainers will:

1. Train 100 individuals in selected regions of Virginia;
2. Add six additional trainers throughout Virginia; and
3. Train pre-professionals (university students) and current professionals in the philosophy, practice, and principles of person-centered, trauma-informed care.

**Department for the Blind and Vision Impaired,** Ray Hopkins, Commissioner  
Commissioner Hopkins provided a written report but was not present to provide a verbal report.

**Federal Updates**

The White House has renominated Mark Schultz, former director of the Nebraska general vocational rehabilitation agency, for the position of Commissioner of the Rehabilitation Services Administration within the U.S. Department of Education. His original nomination was announced in March of 2018 and was sent to the Majority Leader’s office early in June 2018, but his nomination was not brought to the Senate floor for a confirmation vote during the previous session of Congress. As a result, Mr. Schultz had to be renominated to remain under consideration for this appointment. It is unknown when the Senate may approve Mark Schultz’s nomination, but forwarding the nomination is the first step in the process.

Last month, Senator Bob Casey (D-PA) and Senator Chris Van Hollen (D-MD) introduced the Transformation to Competitive Employment Act (S. 260). Companion legislation was introduced in the House of Representatives (H.R. 873) by Representative Bobby Scott (D-VA) and Representative Cathy McMorris Rodgers (R-WA). The Transformation to Competitive Employment Act would phase out Section 14(c) of the Fair Labor Standards Act over a six-year period, at which point the authorization for subminimum wage payments would sunset. The Transformation to Competitive Employment Act is the second bill introduced in the 116th Congress that would end subminimum wage payments to people with disabilities.

The Raise the Wage Act (H.R. 582 and S. 150) is the other bill that would eliminate the Section 14(c) subminimum wage provisions of law. H.R. 582 was introduced in the House by Representative Bobby Scott (D-VA), Chair of the House Committee on Education and Labor. Companion legislation (S. 150) was introduced in the Senate by Senator Bernie Sanders (I-VT). The Raise, the Wage Act, would end subminimum wage payments to people with disabilities as part of a larger effort to increase the federal minimum wage generally. The Raise, the Wage Act, would increase the federal minimum wage from $7.25 to $15.00 over five years.

**Budget Updates**

In December of 2018, when Governor Northam submitted changes to the biennial budget, he included proposed budget amendments for DBVI to address reasonable accommodations, Deafblind Services, and Vocational Rehabilitation Services. The budget as passed by the General Assembly included General Funds in the amounts of $176,000 to fund reasonable accommodations/ driver services for DBVI professionals and $218,000 for Deafblind Services. An amendment introduced during the session to fund Low Vision Services did not pass, and there was no funding added for Vocational Rehabilitation. As a result, DBVI will continue to operate throughout the fiscal year 2020 with services restricted in accordance with its Order of Selection for Services policy. At the end of February, 182 individuals have been determined eligible for VR and are awaiting services.

**Other Highlights:**

During the 2019 session of the General Assembly, three bills were passed which would specifically change the Code of Virginia regarding persons who are blind or vision impaired. HB 1938 was an agency requested bill to revise the Commonwealth’s statutory definition of blindness to be more closely with the definition used by the Social Security Administration. HB 1927 allows Virginians who are blind or vision impaired to choose to be identified as such on government-issued identification cards. These bills have been signed by the Governor, and become effective on July 1.

HB2296 amends the Virginians with Disabilities Act by requiring a person who is vision or hearing impaired and alleging that the website of a bank, trust company, savings institution, or credit union is inaccessible in a way that restricts the claimant's rights under the VDA to give the offending entity written notice by certified mail of the alleged violation at least 120 days prior to initiating an action in court. It further establishes that a website of a bank, trust company, savings institution, or credit union is in compliance with the VDA related to website accessibility for people with "vision or hearing impairment" if the website complies with the Web Content Accessibility Guidelines (WCAG) 2.0 at the AA level of compliance. At the writing of this report, the Governor had not yet acted on this legislation.

On December 28, 2018, Governor appointed three new members to the Virginia Board for the Blind and Vision Impaired. These appointments brought the Board to its seven-person capacity. The new members are **Bonnie Atwood of Richmond, Barbara N. McCarthy of White Post, and Paul W. D ’Addario of Arlington. This body is charged with:** Advising the Governor, the Secretary of Health and Human Resources, the Commissioner, and the General Assembly on the delivery of public services to and the protection of the rights of blind, visually impaired, deafblind and other persons with disabilities; reviewing and commenting on policies, budgets and requests for appropriations for the Department and applications for federal funds; and creating and holding an institutional fund into which it deposits any gift, grant, bequest, allotment, or devise of any nature received from private sources. Authorize use of the proceeds of the fund in accordance with the wishes of the donors and to strengthen the services rendered to the visually impaired of the Commonwealth.

The Department for the Blind and Vision Impaired has vacated its administrative headquarters building at 397 Azalea Avenue in Henrico County. The renovation project is on track, and hopefully, the solicitation to select a contractor will be released this spring.

The third Dream it. Do it. Robotics and Cyber Academy is planned for the last week of June at the Virginia Rehabilitation Center for the Blind and Vision Impaired. This academy is jointly conducted by the Department for the Blind and Vision Impaired (DBVI) and the Department for Aging and Rehabilitative Services (DARS). Students with significant disabilities and served by DBVI and DARS will come together to build a Parallax BOE-Bot and learn basic coding.  The academy instructors will be provided by the National Integrated Cyber Education Research Center.  The curriculum integrates math, physics, electric currents, calculations and problem solving into the fun of programming bots.

**Department for the Deaf and Hard of Hearing,** Eric Raff, Director

**Executive Management**

VDDHH, Department of Aging and Rehabilitative Services (DARS), Department for the Blind and Vision Impaired (DBVI) and the Valley Community Service Board are the four agencies comprising of the Statewide Interagency Team (SIT) addressing issues as it relates to deaf, hard of hearing and deafblind constituents. On Saturday, December 1, the SIT hosted a workshop and town hall meeting held at the Tidewater Community College as part of its ongoing effort to develop a needs assessment and identify new priorities.

VDDHH appointed Mrs. Rhonda Jeter as the new Business Manager who brings 13+ years of experience with the Department of Aging and Rehabilitative Services and additional experience with services to the deaf and hard of hearing.

**VDDHH Advisory Board**

On Wednesday, November 3, VDDHH hosted its’ quarterly meeting of the 9-member advisory board. The agenda included board and agency reports. A guest speaker, Deputy Director with the Department of Professional and Occupational Regulation (DPOR), gave an overview of DPOR and the regulation process. The board motioned to petition the DPOR to conduct a formal study on whether to regulate sign language interpreters (see Interpreter Services Program). Another guest speaker, a Director with the Department of General Services gave a presentation about the accessibility of state-owned/leased buildings pertinent to regulations, building codes, and hearing loss.

**Virginia Relay**

The Virginia Relay Advisory Council (VRAC) hosted its semi-annual meeting on Thursday, October 4th. The VRAC has four new representatives. Hamilton Relay and Devaney Associates (marketing) presented on its activities. There were several presentations with updates on the Internet Protocol Captioned Telephone Service and the Federal Communication Commission. In addition, Dorothy Spears-Dean, with Virginia Information Technology Agency (VITA), gave an update on Text to 911 deployment.

**Telecommunication Assistance Program (TAP)**

The Telecommunication Assistance Program (TAP) has been working with the contracted TAP specialists to coordinate the replacement of captioned telephones. The free exchange of old CapTel 800i with new 840i was initiated by the manufacturer, Weitbrecht (WCI), in response to the CapTel 800i not being able to meet the new FCC regulations for all Internet-Protocol Captioned Telephone Service (IP-CTS) phones.

A few highlights of outreach activities include participation at the annual statewide Veteran’s conference in Richmond and participation with the distribution of emergency kits at the Richmond City fire department headquarters.

**Interpreter Services Program (ISP)**

The interpreter licensure workgroup had its final meeting in October and finalized the report addressing the Department of Occupation and Regulation criterion on why sign language interpreters should be regulated. The final report was submitted to the VDDHH advisory board with the recommendation that the board motion petition the DPOR conduct a formal study on whether to regulate sign language interpreters. The petition was submitted prior to the DPOR annual December 1 deadline.

**Virginia Quality Assurance Screening (VQAS)**

The Department of Education (DOE) hosted its’ semi-annual meeting of educational interpreters grant coordinators at VDDHH. VDDHH will obtain the same amount of

approximately $80k for the new Federal Fiscal Year 2019. VDDHH proctors the VQAS and Educational Interpreter Performance Assessment (EIPA) for Virginia’s educational interpreters on behalf of DOE.

**Community Services**

On Saturday, November 3, VDDHH hosted an all-day legislative training workshop for the deaf, hard of hearing and deafblind communities. The Virginia Board for People with Disabilities (VBPD) had approved the small grant that partially funded the workshop including an out-of-state guest speaker nationally renowned for her legislative training. The morning session focused on the legislative process and how to work with legislators. The afternoon session was about brainstorming numerous issues and narrowing it down to the top two issues: 1) establishment of regional centers for the deaf and hard of hearing 2) improving education access for deaf and hard of hearing children. The audience identified a leader to take the lead for each issue. Afterward, VDDHH received numerous compliments for hosting the workshop with an excellent presenter.

A few highlights of education and training activities include training at two (2) Criminal Justice Academies (9-1-1 dispatchers and new police officers), Americans with Disabilities Act (ADA) training for the Department of Corrections and the State Police Trooper Academy.

**Department of Behavioral Health and Developmental Services**, Ms. Deanna Parker, Agency Designee

**DBHDS Independent Housing Outcomes as of March 1, 2019\***

* Baseline # of People in Settlement Agreement Population Living in their own home 343
* Number of People in Settlement Agreement Population Living in their own home 571
* TOTAL # of People in Settlement Agreement Population Living in their own home 914
* GOAL for people in the Settlement Agreement Population living in their own home by the end of FY 2021 =,866
* Number of individuals in Application, Intake or Housing Search Process 78
* Number of Rental Assistance Resources Set Aside for the Settlement Agreement Population 613

**Goal for Rental Assistance Resource Set-Aside for the Settlement Agreement Population by the end of FY 2021-847. % of Resource Goal Met, 72%**

**Training Center Census 3/2019**

* CVTC= 61
* SEVTC=70
* Total: =131

**IFSP Update**

The**Individual and Family Support Program (IFSP)**is designed to assist individuals on the DD Waiver Waiting List and their families to access short-term, person/family-centered resources, supports, and services. The services and items funded through the IFSP are intended to support an individual’s ability to maintain an independent life in the community. DBHDS established the Individuals and Family Support Community Coordination Program to assist families and individuals with developmental disabilities with making local connections to resources and supports that maintain community living. This effort is a partnership led by families who have formed councils covering the five DBHDS service regions. Together, DBHDS and the IFSP State and Regional Councils have worked to establish Virginia’s Individual and Family Support State Plan and to set local goals to support its implementation.

This year, the IFSP Regional Family Support Groups are focused on furthering the goals of the IFSP State Plan. All five regional councils met during the month of February as a follow-up to the February IFSP State Council Meeting held in Richmond.  The Regional Councils will meet again in April, and the State Council will meet in Richmond on May 1st - 2nd. In addition, the IFSP is planning events across Virginia for the months of April and May in partnership with the IFSP Regional Councils. The purpose of these events is to help IFSP funding applicants who need assistance uploading their receipts, introduce the community to the IFSP staff and explain the four parts of IFSP.

DBHDS continues its work planning for the upcoming FY 20 IFSP funding application with updates and enhancements to the online application to improve the end user experience.

**DBHDS Updates**

* The proposed permanent DD waivers regulations were released for a thirty-day public comment period from 2/4/2019-4/5/2019.
* The Statewide Transition Plan which details compliance with the HCBS settings regulation was released for public comment 2/27/209 through 3/29/2019. The intent of the STP is to demonstrate how the state will bring waiver services and settings into compliance with the settings requirements contained in the CMS HCBS Final Regulation.
* DMAS and DBHDS also welcome a thirty-day public comment on the Community Living waiver renewal application from 3/20/2019 - 3/22/2019. The renewal application includes a revision to the frequency in which the SIS® assessment is administered to adults (22 and older) from every three years to every four years, adds to the provider qualifications for the Peer Mentor Supports and Employment and Community Transportation waiver services an allowance for employment service organizations (ESO’s) to provide these services, and adds updates to the cost-neutrality demonstration.
* DBHDS continues to work with Senior Navigator to develop the My Life My Community navigator website. The website is expected to be ready for public release at the end of March 2019.
* Our DBHDS Service Authorization teams have been participating in Individual Support Planning meetings in order to help introduce the use of the Individual Planning Calendar/Supports Packages to case managers and individuals/family members. The feedback has been positive.
* DBHDS is working with the Virginia Partnership for People with Disabilities to finalize a case management manual and user guide.
* The DBHDS Integrated Housing Team will complete its merger with the Office of Community Housing by June 30th. Its housing operations will not be affected.
* Work is being done at DBHDS to develop a statewide comprehensive Crisis Work Plan incorporating ancillary supports and training for the developmental disability population to include behavioral supports services.

**\*Definitions and Key Terms:**

**Settlement Agreement Population**- Individuals with developmental disabilities who are included in the target population under the Commonwealth’s Settlement Agreement with the U.S. Department of Justice [United States V. Commonwealth of Virginia, United States District Court for Eastern District of Virginia (Civil Action No. 3:12 CV 059)] are as follows: (1) individuals currently reside at any of the Commonwealth’s training centers, (2) individuals that meet the criteria for Developmental Disability Waiver (includes individuals who currently have BI, FIS or CL waivers), or (3) individuals who currently reside in a nursing home or ICFIDD.

**Own Home**- Non-provider owned or operated housing that is leased or owned by an individual in the target population.

**Rental Assistance Set-aside**- rental assistance that is made available specifically individuals who are in the target population.

**Application/Voucher Intake/Housing Search Process**- process in which individuals in the target population: have been referred to a PHA and are completing a program application and submitting required documentation; 2) the individual has submitted an application and associated documents that are under review by the PHA determine program eligibility; 3) the individual has received rental assistance and is actively looking for housing.

**Department of Education,** Henry Millward, Agency Designee

Mr. Millward reported that the Assistant Superintendent for Special Education Services was reportedly going to be announced on Friday, March 15. Mr. Millward noted that the Board of Education will be hearing testimony on the Seclusion and Restraint regulations at its March 21, 2019 Board meeting and that they welcome all participants. He noted that a new workgroup will begin to develop private school outcome measures as a follow-up to last year’s legislatively mandated workgroup. He reported that it would be a small workgroup and that Ms. Lawyer, Board Executive Director, would be serving on the workgroup. Mr. Millward stated that the Virginia Regulations are now available in Spanish, and if anyone would like copies, please send Mr. Millward and email.

**VCU Partnership for People with Disabilities,** Donna Gilles, Agency Designee

Ms. Gilles, briefly updated on the Board on two Research projects, noted that the Partnership was increasing its research portfolio. She reminded the Board that the Partnership serves as Virginia’s University Center for Excellence in Developmental Disabilities.

Ms. Gilles noted that the Partnership is working projects that would be of interested to the Board. The first one relates to Enhanced Outcomes Predictors for People with Disabilities, funded through the US Department of Health and Human Services. The second one is an extension of the LEAP Project – Leadership Empowerment for Abuse Prevention that was funded by seed money from the Board six years ago. They have received a U.S. Department of Justice Office for Violence against Women grant to evaluate the curriculum to demonstrate that it is evidence-based and move towards having it be a national curriculum standard. Ms. Gilles also reported that Ms. Dana Yarbrough, Principal Investigator for the Center for Family Involvement at the Partnership which is funded by VDOE, and her daughter, Brooke, were awarded the Merle McPherson Leadership award for Exemplary contribution to further family-professional collaboration. This is given by at The National Association of Maternal and Child Programs conference in San Antonio, TX.

**Department of Medical Assistance Services,** Ann Bevan, Agency Designee   
Ms. Bevan provided this written report but was not present at the meeting to provide a verbal report.

**General Assembly**

The 2019 General Assembly session saw some changes to Medicaid developmental disability services.

* HB 1812 (*Hope*) - allows the dependent of a foreign service member who was added to the DD waivers waiting list while he was a resident of the Commonwealth to maintain his position on the waiting list following a transfer to an assignment outside of the Commonwealth, so long as the foreign service member maintains the Commonwealth as his legal residence to which he intends to return following completion of the assignment.
* SB 1135 (*Favola*) – Requires the LDSS to notify the appropriate CSB as soon as it is known that a child in the foster care system has DD so that CSB can screen the child for placement on the statewide DD waivers waiting list.
* HB 2652 (*Hope*) – Requires amending DBHDS Licensing regulations to require providers, if they are asked by another provider, to give a statement about a past employee that required a criminal background check about “character, ability, and fitness for employment in or to otherwise fill the role for which the person has applied”.
  + SB 1195 (*Dance*) – Directs the Children’s Cabinet to establish a task for to evaluate and improve mental health services in public schools. Specifically, it will:
* assess the current landscape of school-based services and mental health screening, evaluation, and treatment in school settings;
* coordinate with ongoing behavioral health transformation efforts of DMAS and DBHDS, developing best practice recommendations for trauma-informed school-based health centers as a vehicle for the provision of both medical and behavioral health delivered in school settings;
* evaluate options for billing public and private insurance for school-based health services; and
* develop a plan for establishing a Virginia affiliate member organization, recognized by the national School-Based Health Alliance, for the purposes of providing technical assistance and guidance for localities.

Budget Conference report includes:

* + Item 310 #2c prohibits DBHDS from implementing service packages without the approval of the General Assembly. No date by which the General Assembly will or will not approve the service packages is included in the language. These are currently being piloted by several CSBs. This budget language would prevent implementation until the conclusion of the 2020 General Assembly Session.
  + Item 303 #6c requires DBHDS to recognize CESP, ACRE, and CARFE in lieu of competency requirements. It’s unclear how many providers this would affect, but it basically means there will be several providers who will no longer be held responsible for the new Competency requirements. These requirements were created to improve the quality of DSP’s and address numerous health, safety, and person-centered complaints from individuals, families, and advocates.
  + Item 307 #11c eliminates $1 million for training of CD Attendants. The DMAS Office of Community Living created an “orientation to CD services” type training to improve the quality of CD services. The Governor’s office had included this money to allow for DMAS to train CD attendants. Without this money, DMAS will do its best to conduct this training with the resources at hand.

The reconvened session will be held on April 3.

**HCBS Final Rule**

DMAS and DBHDS are continuing our work together to implement the Home and Community-Based Settings (HCBS) regulation in our public Developmental Disabilities (DD) Waiver system.

The revised Statewide Transition Plan (STP) for our four 1915(c) HCBS waivers: CL Waiver; FIS Waiver; BI Waiver; and, CCC+ Waiver has been posted for public comment. The intent of the STP is to demonstrate how the state will bring waiver services and settings into compliance. The Plan addresses the following areas required by CMS for final approval of Virginia’s STP:

* Comprehensive site-specific assessments of all home and community-based settings, implementation of necessary strategies for validating the assessment results, and include the outcomes of these activities within the STP.
* Remediation strategies and a corresponding timeline that will resolve issues that the site-specific settings assessment process and subsequent validation strategies identified by the end of the home and community-based settings rule transition period (March 2022).
* A detailed plan for identifying settings that are presumed to have institutional characteristics, including qualities that isolate HCBS beneficiaries, as well as the proposed process for evaluating these settings and preparing for submission to CMS for review under Heightened Scrutiny.
* A process for communicating with beneficiaries who are currently receiving services in settings that the state may determine cannot or will not come into compliance with the home and community-based services settings rule by March 2022.
* Ongoing monitoring and quality assurance processes that will ensure all settings providing HCBS continue to remain fully compliant with the rule in the future.

The plan allows providers of services to “transition” into compliance with the new requirements by March 2022.

Thirty-day public comment period began on February 27, 2019, and closes March 29, 2019, at 5:00 pm Eastern Standard Time (EST). The Statewide Transition Plan can be located at:

For more information on the HCBS Statewide Transition Plan, go to: http://www.dmas.virginia.gov/#/hcbs (scroll to the bottom of the page). Comments may be sent within the body of an email or placed within a Microsoft Word document [and submitted as an email attachment.](mailto:hcbscomments@dmas.virginia.gov.)

Providers have updated their self-assessments in RedCap. DMAS has granted extensions on a case-by-case basis to many providers. We hope to have all these self-assessments reviewed by March 2019.

**DOJ Settlement**

* The 13th report of the independent reviewer is posted on the DBHDS website. It covers the period from April 1 – Sept 30, 2018.
* The reviewer praised the changes in DBHDS licensing due to the Governor’s approval of licensing regulations this past September.
* Reviewer pointed out that improvements from previous review periods have been sustained and become routine business practice.
* There are still significant problems trying to recruit and retain quality DSP’s serving people with significant behavioral needs. Also a lack of behavioral specialists.
* Support Coordinators/Case Managers are still not fulfilling all the DOJ requirements.

**Waiver Operations**

Permanent proposed regulations for waiver redesign have been posted for public comment. [The comment period ends 4/5/19 and can be viewed at this website](http://townhall.virginia.gov/L/viewstage.cfm?stageid=7686).

The new FE/A contractor Consumer Direct Care Network of Virginia officially took over on Jan 1st. DMAS and CDCN staff are working closely together to resolve issues that have arisen and assure compliance with the contract.

The Community Living Waiver renewal application has been posted for public comment. You can see the details and submit your public comment [by visiting this website](http://www.dmas.virginia.gov/#/longtermwaivers). The 30-day public comment period began on February 20, 2019, and closes March 22, 2019, at 5:00 pm Eastern Standard Time (EST). [Comments should be sent to this email address.](mailto:HCBSComments@dmas.virginia.gov)

**Electronic Visit Verification (EVV)**

Federal compliance with EVV begins on January 1, 2020. EVV for Home Health services begin on January 1, 2023.

The Virginia Appropriations Act expanded the use of EVV to include consumer-directed personal care and respite and companion services. Since the federal date has changed, DMAS has changed the required implementation date of EVV for Agency, and Consumer Directed

personal care, respite care, and companion services that originate or conclude in the member’s home to October 1, 2019.

The EVV FAQs were updated on October 3, 2018. They can be found on the DMAS website at http://www.dmas.virginia.gov/#/longtermprograms. Click on ‘Electronic Visit Verification’ in the top banner.

For additional questions about Virginia Medicaid’s implementation, [please e-mail this address](mailto:EVV@dmas.virginia.go).

**Slots**

The 2019 General Assembly provided no additional waiver slots above the budget passed in 2018.

Community Living Waiver

+ 189 slots for 2019 (60 of these will be facility slots) + 25 reserve/emergency slots  
+ 195 slots 2020 (60 of these will be facility slots) + 25 reserve/emergency slots

Family and Individuals Support Waiver

+ 414 slots for 2019  
+ 481 slots for 2020 + 326 slots in 2019 to address priority one wait list

Building Independence Waiver

+ 40 slots for 2019

**CCC+**

CCC Plus is fully implemented and operating statewide as of January 1, 2018.

CCC Plus includes Medicaid members who:

* Receive Medicare benefits and full Medicaid benefits (dual eligible), including members enrolled in Commonwealth Coordinated Care (CCC).
* Receive Medicaid long term services and supports (LTSS) in a facility or through one of the HCBS waivers
* Excluded are the Community Living, the Family and Individual Support, and Building Independence waivers but will enroll for their non-waiver services only.
* At this time, their DD waiver services will continue to be covered through Medicaid fee-for-service.
* Are eligible in the Aged, Blind, and Disabled (ABD) Medicaid coverage groups, including ABD individuals currently enrolled in the Medallion 3.0 program.

The EDCD and Technology Assisted Waivers were combined into the new CCC+ waiver. The CCC+ waiver offers all the services previously offered on the EDCD and Tech waivers, but now in one waiver managed by the MCO’s.

NEW E-MAIL IN BOX - [For CCC Plus Waiver Questions, submit your question to to the CC Plus email address.](mailto:CCCPlusWaiver@dmas.virginia.gov)

For more information, [visit the CCC Plus website](https://www.cccplusva.com/) or the DMAS website and click the “CCC Plus” link on the far right.

**OTHER BUSINESS:** Board member inquired about the packets provided by Guest Presenter on Transportation and exactly what is to be done with those. Ms. Lawyer has advised that it was a resource. Dr. Sweetenburg-Lee noted that it was for persons who would like to conduct surveys themselves. Ms. Lawyer asked those who conduct surveys to please make dLCV aware. Dr. Sweetenburg-Lee announced that there would be a Train the Trainer Session held on April 27, 2019, for self-advocates.

The Chair noted that every individual perspective is essential; that the Board needs diversity and everyone’s feedback. She said that although we have to stay on a schedule, it is important that everyone feels that they have been heard and that Board members should not apologize for providing their perspective and opinion.

**ADJOURNMENT:** The Chair adjourned the meeting at 3:52 p.m.