



**Governor's Council on People with Disabilities
Meeting Minutes
June 21, 2017**

Council Member Attendees: Matthew Sauer, Ph. D., Chair, Bryan Grubb, Victoria Baker-Willford, Christine Brown, Sean Bailey, Marshall Kimmel

OOD Staff: Susan Pugh, BVR Deputy Director, Shirley Marchi, Program Administrator

Guests: Derek Mortland, ADA and Community Outreach Coordinator Andrea Crago, PRI, Kevin Willford, Jane Allinder, Tonya Grubb, Judy Sauer

Welcome and Introductions

Chair Sauer welcomed members and visitors and determined a quorum was present and called the meeting to order.

Review of Information in Packet and Approval of Agenda

Council members reviewed the information in their packets and approved the agenda.

Approval of Minutes

Council members approved the April 21, 2017 minutes. Motion carried.

Youth Leadership Forum

Vocational Rehabilitation (VR) Program Administrator Donna Foster reported the Youth Leadership Forum (YLF) will be held July 30th through August 3rd. YLF will be held at the Embassy Suites Columbus Airport. There are about 45 high school junior and seniors attending this year. OOD will contract with interpreters and personal care attendants. OOD is providing polo shirts for participants and staff who are going to events scheduled at the Statehouse. Chris Moranda, Business Leadership Network member and Ohio Health employee is in charge of the employment components. The mentoring event is scheduled on August 1st at 7:00 p.m. GCPD members participating should plan to be at the Embassy Suites by 6:30 p.m. to get situated. There is no dinner this year. The mentoring event is like speed dating. We will have people at tables, split up by career fields. The kids can go to the table. OOD will prep the kids ahead of time with sample questions.

Pre-employment transition services is under the Workforce Innovation and Opportunity Act. OOD needs to spend 15% of its budget on pre-employment services. One of the five core services is advocacy, which is good for the YLF.

The ARC sent an email stating the federal legislature is looking to repeal Obamacare and they are going to cut Medicaid. If that happens, 23 million people are saying they will no longer have access to insurance. The ARC provided phone numbers for offices for Senator Portman along with a script. They are asking people to call today.

Legislative Report

- HB 115: Communication Disabilities – To establish a database of persons who voluntarily register as being diagnosed with a communication disability or who voluntarily register a minor child or ward as the parents or guardians of such persons for purposes of law enforcement notification.
- SB 144: Disabilities Council – To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities and to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council.
- SB 3: Workforce Development – To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week.
- SB 5: College Affordability – To increase the maximum income tax deduction for contributions to college savings accounts and disability expense savings accounts to \$10,000 annually for each beneficiary, to create the Joint Committee on Ohio College Affordability, and to declare an emergency.
- SB 27: Month Designation – To designate the period beginning March 13 and ending April 15 as "Ohio Deaf History Month."
- SB 48: Hearing Impairments – To create a special license plate for hearing-impaired individuals and to require the Registrar to include an identifying symbol on a driver's license, commercial driver's license, or state-issued identification card of a hearing-impaired individual, if requested.
- SB 79: Agency Reviews – To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review.
- SB 93: Hearing Aid Coverage – To require health insurers to offer coverage for hearing aids.
- SB 107: Veteran Identification – To provide that any nondriver identification card that is issued to a veteran who is disabled or blind may be issued without an expiration date.
- SB 114: Commercial Vehicle Training – To authorize a tax credit for expenses incurred by an employer to train a commercial vehicle operator.
- SB 156: Call Centers – To enact the Consumer Protection Call Center Act of 2017 to require the Department of Job and Family Services to compile a list of all employers that relocate a call center to a foreign country and to disqualify employers on that list from state grants, loans, and other benefits.

- HB 30: Prison Terms – To require an additional prison term of 3 to 8 years for an offender who is convicted of or pleads guilty to a felony offense of violence if the offender is convicted of or pleads guilty to a specification that the victim suffered permanent disabling harm and that the victim was under 6 years of age at the time of the offense.
- HB 63: Prison Terms – To require an additional prison term for felonious assault of 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, or 20 years if the offender also is convicted of a specification that charges that the harm caused by the violation resulted in a permanent, serious disfigurement or substantial incapacity or that the offender used an accelerant in committing the violation and to name the act's provisions "Judy's Law."
- HB 109: Prison Terms – To create specifications that impose an additional prison term on a felony offender who commits the offense against a disabled person or elderly person and a period of Department of Youth Services commitment on a delinquent child for felony act committed against a disabled or elderly person, for felony offenses that do not delineate enhanced penalties when a disabled or elderly person is the victim of the violation.
- HB 116: Sales Tax – To exempt prescription eyeglasses, contact lenses, and other optical aids sold by licensed dispensers from sales and use tax.
- HB 150: License Plate – To create a special license plate for hearing-impaired individuals.
- HB 154: Commercial Driver Students – To establish the Commercial Truck Driver Student Aid program and to make an appropriation.
- HB 155: Commercial Vehicle Training – To authorize a tax credit for expenses incurred by an employer to train a commercial vehicle operator.
- HB 156: Vision Care Insurance – Regarding limitations imposed by health insurers on vision care services.
- HB 166: Workforce Development – To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week.
- HB 195: Wheelchair Transports – To modify the provisions concerning the transport of persons who require the use of a wheelchair or other mobility aid in nonemergency circumstances.
- HB 245: Call Centers – To enact the Consumer Protection Call Center Act of 2017 to require the Department of Job and Family Services to compile a list of all employers that relocate a call center to a foreign country and to disqualify employers on that list from state grants, loans, and other benefits.
- HB 246: Classroom Facilities – To require the Ohio School Facilities Commission to provide funding to certain county boards of developmental disabilities to assist in the acquisition of classroom facilities.

Council Member Brown reported there is \$6 million proposal in the Ohio College Opportunity Grant budget. If for some reason it gets taken out of the budget, then Representatives Anne Gonzales and Andrew Brenner will create a bill. College is the

biggest integrated setting out of anything else. Research shows that when people with disabilities go to college, they have an 85% employment outcome rate versus people with disabilities that do not go to college. Students in the Comprehensive Transition Post-Secondary programs at the University of Cincinnati and the TOPS students at Columbus State Community College, Marietta, Youngstown and Toledo can have up to a certain amount of money after they have used their Pell Grant.

OOD Updates

BVR Deputy Director Susan Pugh reported Director Miller is spending an inordinate amount of time downtown because of the budget. OOD is getting a 1.5% cut. If OOD continues to be conservative with spending and frugal, there are some projects that timetables can be adjusted so there is no reduction of staff. OOD's outcomes have been increasing while costs per case has been going down. Our numbers served have increased. All numbers are trending in the right direction. Even though OOD is not pulling down match, OOD is serving people. Our numbers are trending in the right direction. Our focus area is outreach to the deaf and blind communities.

OOD's plan is to issue Challenge Grants after July 4th. This is one-time money for providers to get staff trained or to develop new transition programs for students and other areas. Despite the 1.5% cut, we have carry-forward money to spend down. We will never have zero carry-forward. About 60% of VR's caseload is youth under the age of 24. The Workforce Innovation and Opportunity Act requires us to provide certain services to students statewide regardless of whether or not they have applied for VR services. OOD's partnership with the Ohio Department of Education has been increased.

OOD's Fee Schedule passed the Joint Commission on Agency Rule Review (JCARR). OOD is moving to implementation. Information sessions are going on today with partners and providers. Training will be on-going. The new Fee Schedule will be implemented October 1, 2017 to align with the new Federal Fiscal Year. One of the biggest changes that will be seen with the Fee Schedule is a movement to performance-based fee structures for job development services. OOD is using it primarily for people who are currently in sheltered workshops because they have the most significant disabilities. People served under that model get jobs faster.

OOD is putting a provider scorecard in place that shows placement rate, time to placement and also the types of jobs they have gotten people. We are hoping that people trying to select a provider can hopefully use that information to find one suitable, quality and a more appropriate match. OOD has a job placement person sourcing people directly to The Ohio State University.

The VR Portal is going well. OOD is seeing a steady increase of people using that venue.

A bill has been introduced about the State Rehabilitation Council. If this comes to fruition, OOD will have to amend the VR Combined State Plan.

The Rehabilitation Services Administration (RSA) will be monitoring OOD. Conference calls begin in July and they will be on-site in September. RSA will be monitoring our engagement with the workforce system.

OOD worked with the Department of Public Safety to take advantage of a waiver of health screening in a commercial driver's license (CDL) if you are deaf or hard of hearing. Eleven individuals who are deaf have passed the test and now have their CDLs. OOD is supporting House Bill 115.

Training - Fair Housing Law

Derek Mortland with the Center of Disability Empowerment which is an Independent Living (IL) Center located in Columbus, reported April was Fair Housing Month. The Fair Housing Act took effect in 1991. Fair housing laws are designed to prevent discrimination and apply to all aspects of housing – how it's sold, rented, appraised, financed, insured, inspected, serviced by vendors or municipalities and advertising. Currently, there are no requirements for web access for public or for private businesses. The Access for IT is working on guidance. Section 508 guidelines apply to federal agencies and agencies receiving federal money. OOD would have responsibilities to have their websites accessible. The fair housing laws regulate property owners, landlords and lenders. Banks have to follow fair housing laws. Newspapers should not be publishing ads that are discriminatory for housing.

When a rental manager or staff person receive completed applications, they should write down the date and time received on each application. When looking at candidates and assigning the apartment, they need to go through the applications and look at the date and time they received it. As soon as they reach the first person that meets the qualification requirement, that's the first person they should call for the apartment. Whether that person has a disability, another race, etc. This is what the law requires. Also, residents' guests have fair housing protection too. Landlords should have a written policy relating to other tenants discriminating against other tenants.

The Fair Housing Act requires reasonable accommodations by landlords. All applicant screening processes are subject to fair housing provisions of rendering reasonable accommodations in policy, rule, procedures and common practices and/or reasonable modifications of the physical structure in order to welcome people with disabilities. It is acceptable for landlords to have pet policies, where if you have a pet, there's an extra deposit for the pet. However, if you have a disability and have a service animal that's related to your disability, it's the landlord's obligation to waive that pet policy and not require the deposit.

Some individuals are on SSI or SSDI. Some landlords require they have a job and work history. For a landlord to accept someone on SSI or SSDI would be a reasonable accommodation.

Discrimination falls into two classes: One class is differing treatment (selecting someone, targeting them, treating them differently based on a protected class – race,

color, sex, national origin, disability, etc.). The second class is disparate impact (neutral policy or procedure that has a disproportionately negative impact on a protected class).

According to the National Fair Housing Association, over 50% of complaints were related to disability. Sixty percent of Housing and Urban development complaints were related to disability. The second most common complaint for both of these was race. The Department of Justice and the Fair Housing Association of Protection and Advocacy were highest with disability complaints, disability discrimination.

The Olmstead decision said that communities have to look at making the community accessible and providing services for people in the environment of their choice in the most inclusive setting. It's to prevent people with disabilities from being warehoused, placed in institutions and nursing facilities. Ohio Medicaid has gotten behind the HomeChoice program. It is important to educate housing providers and people with disabilities so they are better able to enforce their rights.

A reasonable modification is a change to the physical characteristics of a residence or to the common areas of buildings. Reasonable modifications are things the landlord has to allow the person to do, but is not necessarily obligated to pay for. If a landlord wants an apartment returned to its previous condition when that person moves out, the landlord can ask for a reasonable deposit to return that property to its original condition.

Reasonable accommodation is a change in rules, services, practices or policies that do not change the nature of the program, such as allowing an assistance animal.

Fair housing laws applies to homeowners associations too. They require the Association to make reasonable modifications and accommodations related to their policies.

The guidance for assistance animal for emotional support can be provided by a physician, psychiatrist, social worker or other mental health professional that the animal provides emotional support that alleviates. However, if a person's disability is obvious or otherwise known to the provider, the need for the request for accommodation is also readily apparent or known, then the provider may not request any additional information before that person's disability or the disability related need for the accommodation.

Council Members Updates

Christine Brown: Has an opportunity to get hired at The Ohio State University as the CILC Advocate Representative/Research Assistant through Nisonger. She would help with grants, coming up with ideas, providing educational support to Nisonger faculty and staff and graduate students regarding self-advocacy and self-determination. She would advise the Center's Director, Associate Director on these matters, and represent the Center as needed at different community committees.

On Friday, July 7th a number of self-advocates are meeting with Zach from the Ohio Department of Developmental Disabilities to discuss the budget.

Christine attended the University of Centers of Excellence Developmental Disabilities Conference was in Washington, D.C. Representatives of the House and the Senate or their staff members spoke on the changes in Medicaid cuts.

Bryan Grubb: The Ohio Association of Deaf/Blind is establishing a booth at the Columbus Alumni Festival. With a friend, he has been looking for blind resources to add to the deaf/blind resource list. This was a program the high school put together.

Sean Bailey: Marysville schools asked him to help with students that graduated this year on planning their futures. A few of them are going to college. He helped them set up their college plans, living situations and how to prepare for them.

Marshall Kimmel: There is a lot of uncertainty regarding the state budget and the federal budget, which could seriously impact social services. There is a freeze in hiring.

Victoria Baker-Wilford: She has been working in Meigs County with a desire to inform individuals in the Developmental Disability community to start a self-advocacy group. She spent time talking about constructing a mission statement, bylaws, board positions, and a location to hold meetings. One of the area provider agencies offered their facility as a location free of charge. We are looking at ideas not just with words, but with pictures.

She attended the Nisonger OSU Training for third year medical students. The medical students came in and did interviews. Instead of doing an actual medical exam, they did a social interview and talked about family. After they left, she and others evaluated their performance. The doctors would come in, do their work, leave and come back in. We had to tell them that what they did was either right or wrong. Some students were so nervous and walked in and didn't even introduce themselves. Everyone seemed receptive to the constructive criticism.

Matt Sauer: Met with the United Way Assistant Director to discuss the changes with the Sun Setting of the GCP to make sure there was going to be representation on the Governor's cabinet and issues around disability. There should be ongoing honest dialogue between consumers and providers.

In addition, Matt was involved in a lot of transition of students to employment and graduate school.

Old Business

State Rehabilitation Council – How to Apply: GCPD members who are interested in serving on OOD's new State Rehabilitation Council, must complete the Board and Commissions form found on the Governor's website. Shirley has also sent this form to members.

GCPD Statement of Transmittal for State Rehabilitation Council: GCPD members need to review the document and decide what further action they want to take. GCPD members discussed the topics and format. The transmittal should be in letter format with annual expectations. Chair Sauer volunteered to create the letter and have it available at the August meeting for members' signatures.

GCPD Meeting September 13th at Deer Creek: All GCPD members should attend. This will be the last meeting.

GCPD Awards Ceremony September 29th at the Statehouse

Keynote speakers:

Shirley to contact the Governor's Office and Dr. Hurst as potential keynote speakers.

Sean to contact Secretary of State John Husted.

Deadline to receive awards: July 15th.

Council members to vote on awards at their August 16th meeting.

New Business

None.

Highlights of Meeting to State Legislature

Council member Bailey will work on the highlights of the meeting and Liaison Marchi will distribute to the legislature.

Public Comment

None.

Adjourn

Council members adjourned the meeting.