

Protection and Advocacy Advisory Board
Meeting Minutes
December 15, 2011
Conference Room B

Attendees: Eileen Furey (Acting as Board Chair), Ray Elling, Vivian Cross, Sheila Mulvey and Joyce Peters.

Absent: Peter Tyrrell, Muriel Tomer, Chad Sinani, John Clauson, and Art Quirk.

Staff Members: James McGaughey, Executive Director; Gretchen Knauff, Assistant Director; Peter Hughes, AID Program Director; Beth Leslie, Legislative Regulations Specialist, and Anne Broadhurst, FRB Liaison, Abuse Investigator.

Call to Order: The meeting was called to order at 4:05, no quorum was noted.

Moment of Silence was observed by Board members and staff in respect and memory of Phyllis Zlotnick, our recently departed Board Member and friend.

Consideration of minutes: No Quorum, approval of minutes tabled till the March 2012 Meeting.

1) Annual Report – Major Issues

- i. **Independent Death Review and Investigation Process** – An article from the N.Y. Times stirred plenty of interest about the D.D. service system. The absence of effective, independent safeguards in New York has permitted multiple, needless deaths and instances of abuse of persons with intellectual disability in their service system. There is no effective mechanism whereby deaths are reviewed and “lessons learned” can translate into prevention activities. It is a very different story in Connecticut. P&A reviews all deaths of persons with intellectual disability, and directly investigates those deaths where abuse or neglect are suspected of playing a role. The annual report lists a number of examples where the P&A reviews spotted issues that translated into measures that save lives. There are still frustrations, however. Sometimes we do not know the cause of death because the family will not allow an autopsy and the OCME will not exert jurisdiction.

There was a general discussion about conditions leading to neglect and abuse. Could budget cuts, resulting in lower staffing levels lead to greater risks? One safeguard against sexual predators and neglect of duty by staff members in group living situations is unannounced visits to group homes by supervisors at odd hours of the evening and night to ensure that enough staff is providing coverage and not sleeping.

- ii. **Inclusive Emergency Preparedness** – Board members felt first-hand the effects of lack of proper planning for natural disasters by municipalities. People were running out of

oxygen and going to local hospitals to have their concentrators recharged. Manchester had a very good shelter that was open for eight full days. Individuals with significant disabilities were able to shelter there and their PCAs came and provided necessary services at this shelter. Manchester Shelter Director created an environment of welcoming all citizens into the shelter, regardless of their needs. This was not the case everywhere, however.

- iii. **Restraint & Seclusion (R&S)** – We have found that children in psychiatric residential treatment facilities and special education schools are subjected to “face down”, prone restraint techniques that have been banned by DHMAS and DDS. The concern is that prone restraints can cause positional asphyxia (the inability to breath). State Department of Children and Families (DCF) should have new rules on this problem up on their website this week. DCF knows about the existing problems as we have been providing them with these reports. P&A is planning a conference in the spring about how to reduce restraint and seclusion successfully.
- 2) **P&A National Standards** - the NDRN has developed a standards statement that they will become involved in any P&A that does not perform as a P&A should be. Jim has signed a statement attesting to our being in compliance with those standards. We must maintain a level of statutorily independence.
- 3) **Discussion of Special Education Compliance Toolkits** – Hard copies of the toolkits, which were developed by Dr. Cross, were provided to members. Recent data from a Duke University study links childhood lead poisoning to poor performance on Connecticut Mastery Tests. It was stated that 35,000 children are performing poorly due to some level of lead poisoning. Schools are largely ignorant about this data, and do not even know which students are potentially affected. Moreover, parents of those children are not informed about their children’s educational rights.
 - a) The tool kit equips parents or parent advocates to quote laws that protect the rights of children with disabilities. The law has not changed. The information has been put together in one package. When given the documents, parents ask, “why weren’t we previously informed?” Because, fulfilling legal mandates and ensuring that children’s rights are respected sometimes costs some money, schools see these issues simply as expenses. The area of assistive technology (AT) is an example. Under federal law, consideration of the potential of assistive technology is required. But, the requirement is often ignored because it is feared providing AT will be costly. However, Southern CT State University has a program where they get grants and equipment from Dell. Parents and school systems need to know that things like that are out there.
 - b) Discussion around planning the event on Restraint/Seclusion reduction at the LOB. That way we could get it on CT-N, and use that footage to put it on-line and it doesn’t cost anything. We can also generate interest by offering CEUs. “How to keep children safe, to stop educational bullying!”

- 4) **2012 Board Meeting Schedule:** The following dates were tentatively identified for Board meetings: March 22; June 28; September 27; December 14. Meetings to be held in Conference Room B at the Office of Protection and Advocacy for Persons with Disabilities, 60B Weston Street, Hartford, CT 06120-1551.
- 5) **Comments from Board Members** – Ray Elling indicated that the Annual Report was very good overall, but that it did not discuss the very large issue of inaccessible buildings. Jim indicated this was a valid point. Ray also provided copies of the Senate and House Resolutions being submitted in Congress regarding equal access to all at state and federal buildings. Electronic copies can be downloaded electronically from Thomas the Library of Congress.
- 6) Sheila Mulvey – expressed concern over the personal care attendants and the problems with the Governor issuing an Executive Order. That Executive Order has stirred resentment and controversy in the disability community. Ray indicated that CC=A has identified the lack of an ADA coordinator as an un fulfilled promise. There has to be someone designated as coordinator, it is a mandate.
- 7) Adjournment: 6:10 p.m.; Motion to adjourn made by Sheila and seconded by Ray.