

**Protection and Advocacy Board  
Meeting Minutes  
June 28, 2012  
Conference Room B**

**Attendees:** Art Quirk, Chairperson; Commissioner Donald DeFronzo, State ADA Coordinator; Dr. Vivian Cross and John Clauson, via conference call: Chad Sinanian and Rachel Bogart.

**Absent:** Sheila Mulvey, Ray Elling.

**Staff:** James McGaughey, Executive Director; Gretchen Knauff, Assistant Director; and Beth Leslie, Legislative Regulations Specialist.

- 1. Call to Order:** The meeting was called to order at 4:15. Quorum noted.
  
- 2. Review of Minutes** - Minutes approved with correction to discussion on changes to Department of Mental Health and Addiction Services (DMHAS); John did not state that the Human Rights Committees in DSS were being eliminated - just that they were anticipating changes. DeFronzo made motion to accept the minutes, Clauson seconded, so moved.
  
- 3. Executive Director Report – McGaughey**
  - a. McGaughey reported that the Legislature adopted a budget that rejected the proposal to consolidate OPA with CHRO, and left OPA as an independent agency which can continue as Connecticut’s designated P&A system.
  - b. Prompted by a request from *The Hartford Courant*, Peter Hughes, AID Program Director, Anne Broadhurst, Investigator assigned to the Fatality Review Board (FRB), and McGaughey have begun developing a report, which is still in draft form, about the deaths of individuals with intellectual disabilities in the care of the Department of Developmental Services. Names are being redacted to protect the individuals’ identities. The report will be posted on the OPA website when finalized.
  - c. A statewide initiative on reducing restraint and seclusion is gaining momentum. The initiative is an outgrowth of investigations into serious injuries sustained by children in residential programs and in schools which frequently use restraint and seclusion. DCF licenses the residential programs and SDE authorizes reimbursement for the costs of educating

children in those schools. The interested agencies include: DMHAS, OPA, DCF, and DDS are pursuing a statewide initiative to reduce restraint and seclusion. It is possible that the Governor's Office could be involved in promoting this initiative. As a kick-off, there is interest in sponsoring a symposium on the whys and hows of reducing reliance on seclusion and restraint. The Board had discussed having OPA sponsor such a symposium, but it would be more powerful if all the agencies came together to do so. So far they are trying to hammer out language for a joint vision statement.

- d. We have lost several staff due to retirement and resignation. We are unable to refill the CAP advocate position (federally funded), at this time because of total gridlock in Congress and uncertainty over future funding.
- e. Congratulations to Board Member Chad Sinanian who was named Self-Advocate of the Year at the Annual WeCAHR Meeting.
- f. Our condolences to Dr. Cross, whose husband of over forty years died in May.

**4. Legislative Report – Leslie** - Finishing up the final edits to the year end session report on legislation that affects people with disabilities.

- a. Strengthening of the restraint and seclusion language regarding a child with an IEP who is restrained or put in seclusion; the school has to notify the State Department of Education (SDOE). Law now requires the SDOE to compile a report to be annually submitted to the Committee on Children.
- b. Deaf Children's Bill of Rights passed; it requires that a communication plan be included in IEPs for children who are deaf or hard of hearing. Assistive Technology (AT) should be part of the evaluation process for these children. If a person has assistive technology, that equipment could be loaned, leased, or given to a student. AT is a very important component.

**5. Stakeholder Group Discussion**

- a. Discussion of plans to develop a Stakeholder Group consisting of members of the Connecticut disability world to study OPA and make recommends that would improve the structure and effectiveness of the agency and increase understanding of its mission and need for independence/autonomy. In part this is in response to the proposal to consolidate the agency, but it is also a response to the generally changing environment of government. Resources available for safeguarding and

advocacy are shrinking and not just at the state but also the federal level. This would be our opportunity to learn what will be expected of us by federal partners in the years to come, to thoughtfully analyze possible organizational structures and what makes sense for Connecticut, and to contribute some positive suggestions to future statutory changes. That way we would not be just waiting to react to proposals from others.

- b. We should get a group together where our goals and objectives are openly discussed to make P&A more efficient and streamlined, where we are directing the process. DeFronzo felt that we would come out of it with a fresh look at the agency, it's a good step and DAS could give us help to facilitate such a discussion, pulling a few meetings together. McGaughey solicited input from the Board as to what level of participation the Board could provide in this process. NDRN (through a Training and Technical Assistance contract it has with federal agencies) could come and do the training, or federal agencies could come themselves. We could also invite representatives from other P&As. Hopefully, stakeholders from Connecticut would listen to these things and give feed-back on what they would like to see.
  - i. On the topic of understanding what OPA's mission and mandate are, Clauson felt that the agency website provided insight into the enormous amount of work and tasks taken on by the agency. DeFronzo pointed out that there is great power in the telling of personal stories – that those, too, can tell the agency's story.
  - ii. Committees and groups to be included as "stakeholders": BESB, CDHI, BRS, Deaf Community, PAIMI Advisory Council, the SDOE work with the kids, SDOE, Autism groups, American School for the Deaf. Cross suggested the larger the gathering of stakeholders, the better supported we will be. We can make it happen and keeping the focus clear.
  - iii. Additional ideas: consultation visit with the federal agencies. Develop a Proposal/Survey to be completed and shared nationally.

## **6. Comments on SDE Draft Guidelines for Prevention and Management of Lead Poisoning in Children**

- a. The Guidelines left out a very crucial component of educating children who are identified as having had elevated blood lead levels: the neuro-psychological evaluation. There are not enough of the

neuropsychologists, but screening and referral processes can be taught to school psychologists, which could reduce the potential for over-referrals, while, at the same time increase the likelihood that kids who need full neuro-psych evaluations get them from neuropsychologists who are Board Certified . The Board also wants to endorse that the flow chart is missing the K to 12 segment.

- b. The whole package is very comprehensive and a tremendous amount of work went into the product but it needs to be more specific. If you are dealing with a child who has a documented lead poisoning it is imperative to do the appropriate assessment.
- c. There are thousands of kids who are suspected of having lead poisoning and it is entirely preventable. Board made a recommendation to write to the SDE and bring these deficiencies to their attention, along with recommendations for their consideration. Dr. Cross will send a draft.

**Adjournment** - motion to adjourn made by Chad Sinanian, seconded by John Clauson. Meeting adjourned 6:10.