

**Protection and Advocacy Advisory Board
Meeting Minutes
December 4, 2008**

Present: Rachel Bogartz, Eileen Furey (Chairperson), Arthur Quirk, John Clausen, Sheila Mulvey, Heidi Mark, Walt Wetmore, and Phyllis Zlotnick attended via telephone.

Absent: Walter Pelensky, Suzanne Liqueremann, Peter Tyrrell, and Christopher Knapp.

Staff Members: James McGaughey, Executive Director; Gretchen Knauff, Assistant Director; Peter Hughes, AID Program Director; and, Beth Leslie, Legislative Liaison.

- 1) **Call to order** at 4:05; quorum is present.
- 2) **Budget concerns** dominate the agenda for P&A. We have lost several positions to a consolidation of business and personnel functions in 2005. We have to maximize what we have. We have an important safeguarding role; we are positioned to point that out; to step in and pay attention to what is going on.
- 3) **DD Network Symposium on Aging in Place for People with Disabilities** was successful. Participants identified a number of principles and action steps that need to be pursued in order to meet the challenges inherent in serving an increasingly aging population.
 - a) The ‘Principles’ are:
 - Individual Planning
 - Continuity of Relationships
 - Community Continuity
 - Positive Vision for Aging
 - Integrating with Generic Aging Services & Programs
 - b.) Action Areas include:
 - Development of a Coherent State Policy
 - Workforce Development
 - Developing Capacity and Removing Barriers to Coordinated Health Care
 - Incorporating “Universal Design” concepts into both the physical and programmatic architecture of human services.
- 4) **Deaf interest group leaders** met at P&A to begin discussing concerns that many interpreters are approaching retirement age and there will be a real shortage. Presently, four people are enrolled in the state’s only interpreter preparation program at NWCC. Beginning in 2012, new candidates for interpreting certification will need a four-year degree; this needs to be more fully developed perhaps at UCONN and/or other four year colleges. There are differing opinions regarding the value of requiring more formal education vs. increasing mentoring opportunities.
- 5) **Annual Report:** Gretchen and her team did a fabulous job on the annual report. The report is filled with stories about our clients’ successes and includes photos of artwork and photos done by persons with disabilities that are regularly hung in our lobby as part of the OPart group. OPA is an independent “watchdog” agency and the annual report has a section

identifying issues affecting people with disabilities. Our newest pamphlet created to address the frequently asked question, “How can P&A help me?” is also included. As a cost-cutting measure, the report is printed in-house, in black and white, but the full color version is posted to our website.

6) **Review of Minutes:** John Clausen made motion to accept, Sheila Mulvey seconded, all ayes, so moved, minutes accepted.

7) **Legislative Update:** The budget crisis will be the big issue for 2009. Our legislative initiatives, for the most part, have no costs attached. We will, once again, bring these proposals to the legislature:

- ⇒ Put the Fatality Review Board in State Statute;
- ⇒ Require Dept. of Correction to notify us of suicides.
- ⇒ DMHAS to notify us of all deaths in DHMAS-operated facilities.
- ⇒ Lengthen the appeal period for people notified they have to leave Residential; Care Homes (currently 10 calendar days) and require notices to give our Office’s contact information.

Other issues include the creation of a jail diversion program for people with developmental disabilities and strengthening our own confidentiality requirements by explicitly including reference to our federal confidentiality mandates in our state statute. Finally, to expand the state law protections for “guide dogs” to all legitimately trained service animals.

8) **Abuse Division update.** Its time to re-examine the assumptions that originally led to the abuse and neglect reporting and investigation statute. Since DDS has changed their name our statute needs to be updated. More significantly, different service models have evolved since 1984 when our statute was drafted. Also, we have historically conducted investigations in private homes – usually meaning a situation where an adult with intellectual disabilities is living with his or her family. However, now that that Individual Support Arrangements (ISAs) are becoming more popular, people are sometimes living with people who are otherwise employees of a human services agency, but are, for purposes of the ISA considered as roommates/mentors. So there is a question about who should be doing the investigations in those settings and how protective service plans can be effective for people living this way. If we don’t start the process of reviewing and possibly revising the statutory framework, it is likely that pressures from unresolved issues will mount. There could be widening gaps in the safety net.

Intakes have increased steadily over the past six months by more than 100. In November we had 18 working days where there were 91 reports, we are operating at a much higher level. The stressors created from the state of the poor economy increases abuse cases.

John Clausen noted that a shift has occurred in some of the nomenclature, where “client” has become a bad word. A client is a person who has a need for assistance with things. A “consumer” is a whole different thing, implying that the person is like a shopper, who may

need a broker, but not necessarily direct service. Should not some responsibility go with the broker? *Jim* it is unclear who is responsible for what – it is a new form of service.

The problem is the only person who can hire or fire, discipline is the person with the disability. But, that person may not be that independent. The flexibility is a really good thing for many people. The question is how to craft safeguards.

We need a subcommittee of the board to position ourselves first to work on these issues. Board members who volunteered: Eileen, Heidi and Sheila; agency staff, Peter, will assist with the organizational work.

Second subcommittee would be a P&A Board Forum Planning group, to host a public forum. Objective: draw the attention of the press and legislators about issues in the human service world. John, Phyllis and Art volunteered.

- 9) **Agenda for 2009** – Proposed that regularly scheduled P&A Board Meetings be held quarterly: March, June, September, December. *Sheila* made a motion to move from six to four meetings, *Heidi* seconded motion, motion accepted. Holding four regular meetings is the fiscally responsible thing for the Board to do. An e-mail to solicit best days and time slots will be sent.

10) **New Business** – *Heidi Mark* got engaged! Best wishes from all of us.

- 11) **Registry on reporting.** Eileen looked at the number of allegations and questioned whether there was any evidence that the DDS “registry” might be influencing outcomes or reporting activity. *Peter Hughes* responded that in gathering data for internal and annual reporting purposes, we do not typically look at correlations with registry utilization. But the question could be studied *Phyllis*, only as it relates to DD services.

The biggest issue we face this coming year is the size of the state deficit. The state cannot print money, they are rescinding across all agencies. We can change the priorities for spending, we are an independent safeguard; but, we will not escape what is happening. .

- 12) **Adjournment** – *Art Quirk* made motion to adjourn. *Rachel Bogartz* seconded, adjourned 6:00 p.m.