

**APPROVED MINUTES – SPECIAL MEETING
DEVELOPMENTAL DISABILITIES PLANNING COUNCIL
FRIDAY, JANUARY 18, 2018
625 SILVER AVENUE SW (DDPC CONFERENCE ROOM)
ALBUQUERQUE, NEW MEXICO 87102
9:00-12:00 PM**

Members Present

Advocates

Amira Rasheed, Chair
Sergio Resendiz, Vice Chair, join 9:45am
Judy Ann Sena
Hoskie Benally

Family Members

Sandy Skaar, Past Chair
C. Dianne Griego, Secretary/Treasure
(by phone)

Attendants

Jeanette Sena

Agencies Present

Joan Curtiss (DRNM)
Kathleen Hardy (CYFD)
Ellen Carpenter (DVR)
Pat Osbourn (CDD) had to board plane at
9:47 am
Jim Jackson (by phone) (DRNM)
Jennifer Rodriguez (by phone) (DDSD)
Coralie Whitmore (by phone) IAD
rejoined 10:00 am
Phyllis Shingle (by phone) (CDD)

Staff Present

John Block III, Executive Director
Barbara Ibáñez, Deputy Director
Mary Lou Poli, Attorney General's Office

Staff Present for Meeting Minute Purposes

Only

Daniel Ekman

Family Members Absent

Theresa Apodaca
Charlene Espinoza

Agencies Absent

Myles Copeland (ALTSD)
Cynthia Shelton (NMHSD)
Deborah Dominguez-Clark (PED)

Public Guests

None

Call to order- Housekeeping

The Chair, Amira Rasheed, called the meeting to order at 9:20 am. Amira skipped over action items and went to discussion of Legislative Issues due to lack of quorum. Roll call at 9:37 am and Quorum reached. Quorum re-established at 9:54 am

Approval of Agenda – Action Item

Joan Curtiss moved to approve the agenda. Judy Ann Sena seconded. Motion approved with none opposed and none abstained.

Approval of January 12, 2018 Minutes – Action Item

Kathleen Hardy moved to approve minutes with noted spelling correction. Judy Ann seconded. Barbara Ibáñez noted the Whitman has to be changed to Whitmore. Motion approved with none opposed and none abstained.

Open Meetings Resolution – Action Item

Kathleen moved to approve open meetings resolution. Joan seconded. Mary Lou Poli clarified that the 2018 Open Meetings Resolution was identical to 2017 with the exception of the date change. Motion approved with none opposed and none abstained.

Disability Issues for the 2018 Legislative Session Possible Legislation – Action Item

Jim Jackson discussed legislative and budget issues. He suggested the council support the DDPC budget increase based on the request. HAFC adopted the LFC recommendation over the Executive budget. LFC recommendation does not include language of non-reversion for fund balance. DDPC Executive Director John Block, III mentioned importance of non-reverting language for fund balance and wants to see paralegal and social worker positions from the Executive budget.

DDPC budget action. Sandy Skaar moved that the Council support the Governor's budget recommendation and push for non-reversion and the two extra positions that were not in the LFC recommendation. Joan seconded. Motion approved with none opposed and Amira recused herself.

Jim Jackson discussed Medicaid budget. LFC and Executive both recommended full funding for Medicaid program. The legislation recommends the appropriate position is to support full funding for the Medicaid program without specifying which budget we support.

Medicaid budget action. Joan moved that the DDPC support full funding for Medicaid. Dianne Griego seconded. Motion approved with none opposed and Amira recused herself.

There was a clarification regarding Medicaid budget action on active support through testimony versus being neutral. Joan moved that the DDPC through Executive Director Block provide testimony at the legislature regarding support for full Medicaid funding. Ellen Carpenter seconded. Motion approved with none opposed and Amira recused herself.

Mr. Jackson discussed the Department of Health budget. The LFC recommended a higher level of total appropriations for the DD programs than the Executive. Jim recommends that the Council supports the higher appropriation level based on the LFC recommendation. No increase in funding was requested by either recommendation for the waiting list. Jim recommends that the DDPC supports using additional money to take individuals off of the DD Waiver Waitlist. Jennifer Rodriguez discussed a bill of \$25 million that would be used to take people off of the waiting list. Jim noted getting language into HB2 is easier than individual appropriations. Jennifer Rodriguez stated the importance of recurring funding to sustain services.

DOH budget action. Sandy moved that DDPC supports Mr. Block's testimony in favor of the higher amount for DOH. Judy seconded. Joan asked if we should support an increase in the base funding/recurring funding. Sandy adjusted her motion to include re-occurring funds. Judy seconded. Motion approved with none opposed and Amira recusing herself.

Jim asked if any council members had budget issues they wanted to raise. Nobody raised further issues.

Jim Jackson discussed Senate Bill 19 (SB19) Uniform Guardianship and Conservatorship Code sponsored by Senator Jim White. New code based on a proposed national code would repeal and replace the New Mexico Probate code. Jim said it was a step in the right direction but there is some controversy attached to it. There is a question about the timing for passing the bill during a 30 day session. John Block noted that a uniform code might not work well in New Mexico and that certain safeguards in New Mexico statute could be removed. There are concerns about how to budget for increase costs associated for the courts. It is important legislation, but should be reviewed and revised then introduced during the 60 day session. If a memorial is introduced, Mr. Block wants to see Office of Guardianship and Contractors involved so their perspective is included. Joan looked at the bill and it is over 300 pages long. It was very detailed and she found several elements she believed are extremely positive such as more intense reporting and ways to ensure least restrictive environment. Joan suggests that the bill needs to be reviewed more carefully before making a decision. Joan worries about supporting more of a patriarchal type of approach to the best interest of the individual. Sandy felt uncomfortable voting on the bill given that she has not been able to read it.

Kathleen mad a motion to remain neutral on SB 19 and if asked, recommend for a memorial to study the matter. Ellen seconded. Motion approved with Joan and Sandy abstained and Amira recused herself.

Jim Jackson discussed HB 17 which would appropriate an additional \$25 million to the DD waiver. Jim thinks the chances of getting \$25 million are none. The legislation might stimulate discussion to get more money into HB 2. Kathleen said HB 107 has language about reversion, but not recurring vs. reoccurring funding. It is assumed to be recurring.

Kathleen moved that we remain neutral on HB17 but that we support its intent to expand funding to get individuals off of the waiting list and support it through testimony. Joan seconded. Motion approved with none opposed and Amira recusing herself.

Jim Jackson heard from the CDD that there will not be a memorial for the autism task force. Jim then talked about limitations on step therapy with HB 42 and SB 11. These bills provide an expedited appeal and tries to quicker access to appropriate intervention.

Joan moved that we support the limitations on step therapy HB 42 and SB 11. Judy Ann seconded. Sandy asked how we are going to support this bill. John responded that he could support it through testimony. Joan amends the motion. Joan moves that we support HB 42 and SB 11, limitations on step therapy and provide testimony for that support. Judy seconded. Motion approved with none opposed and Amira recusing herself.

Sandy made a motion to adjourn into Executive Session, closed to the public. Judy seconded. A roll call vote was taken at approving the Executive Session. The recorder was turned off. Executive Session convened at 11:04 am.

Executive Session: pursuant to NMSA Sec. 10-15-1(H)(7) Ligitation regarding the ARC vs. DDPC – D-202-CV-2017-03550

After the Executive Session, Amira brought the Council back into open session by stating - Let the record reflect that the council is back in open session. The time is 12:05 pm. Let the record reflect the matters discussed in the executive session were limited to those who adjourned into Executive Session. No action was taken.

Adjourn

Meeting is adjourned at 12:06 pm.