

# OREGON DISABILITIES COMMISSION

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## Full Committee Meeting Minutes | March 9, 2023

Virtual Meeting, via Zoom and telephone

1:00 to 4:00 pm

**Members Present:** Mark King, Patrick Wilkus, Joanna Wilson, Nancy Peterson, Jenny Schoonbee, Timothy Roessel, Marsha Wentzell,

**Members Absent:** Tata Blakely

**Public Present:** Erin Ross, ODHHS

**Guests:** Jaime Niño, OHA Ombuds; Marica Ventura, Department of Corrections

**ASL/CART:** Sara Comerford, ASL; Pamela Garland, ASL; Elizabeth Archer, CART

**Staff:** Joseph Lowe, Ryan Kibby, Melinda Meeds

### **Call to Order**

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Chair King called the meeting to order at 1:02 pm.

### **Regular Business**

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**Motion to approve agenda:** Tim Roessel

**Second:** Marsha Wentzell and Nancy Peterson

**Yeas:** all

**Nays:** none

**Abstentions:** none

**Motion passed**

**Motion to approve previous meeting minutes:** Marsha Wentzell

**Second:** Tim Roessel

**Yeas:** all

**Nays:** none

**Abstentions:** none

**Motion passed**

## **Announcements**

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Planning for this year's ADA Celebration is starting and Joseph will be sending out information and invitations to the planning workgroup. ODC historically spearheads the Celebration. Marsha asked if it will be in-person or virtual. Attendance has increased substantially with the virtual platform, and a move back to in-person would also mean a one-day event, rather than through the month, but the final decision will be up to the Commissioners.

Nancy shared that they are working with the Hermiston City Council to create an inclement weather plan for keeping the sidewalks clear when there is snow, rather than having the snowplows pile it up on the sidewalks.

Erin Ross, the new Deaf/Blind Specialist with ODHS's Deaf and Hard of Hearing Services Program, introduced herself, and those present introduced themselves.

Joseph suggested moving the agenda item of the vote on the additional Executive Committee member up, as Nancy had to leave the meeting early, and they had agreed to be the third member. Jenny made the nomination, and all voted in support.

Joseph also brought up that Marsha has termed out from the State Independent Living Council, and the Commission decided to table the conversation to the May meeting.

## **Liaison Reports**

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Oregon Home Care Commission: Mark reported that they had a report from Kelly on CPR, from Nancy on the Consumer Survey, and a report from Developmental Disability/Mental Health.

Durable Medical Equipment Prosthetics Orthotics Supplies Council: Marsha had nothing to report.

Governor's Commission on Senior Services: Joanna couldn't attend the meeting.

National Federation of the Blind: Patrick had nothing to report.

Joanna shared about her work with various organizations in Southern Oregon around using hearing loops in venues, along with ASL and CART accessibility.

Disability Rights Oregon: Tim shared about the work DRO is doing with legislators.

Stop Aging and Disability Discrimination in Employment, Oregon Vocational Rehabilitation Services/State Rehabilitation Council, Joint Legislative Committee, and Rules Advisory Committees: Jenny had no updates this time.

### **Department of Corrections ADA Coordinator Report**

Marica Ventura is the statewide Adult Adult-In-Custody ADA Coordinator with the Department of Corrections. "Adult in Custody" (AIC) is the preferred term, rather than "inmate". Under Title II they are prohibited from discriminating against anyone with a qualifying disability and all AICs get access to all services. When she first started in 2017 there wasn't a process or policy for AICs with disabilities to request accommodations, and the present process wasn't put into place until 2020. The process begins during the intake process, and Marica gave an overview of different services and accommodations to AICs. AICs who have

been in the system since prior to 2020 can also request access to accommodations. There is also a grievance process in case an AIC feels they've been unfairly denied accommodations.

Joanna asked about a situation where a formerly incarcerated person's doctor said they didn't have any medical records from the correction facility. Marica suggested that the former AIC reach out to the Health Services Unit and request the records be sent to their outside provider. She will send the name of the contact person to Joseph.

Joanna also asked about AICs who use a cochlear implant or hearing aid and don't sign and whether the prison system will put in a hearing loop system. Joseph will be sending Marica more information, as she isn't familiar with the system and Bluetooth is not currently allowed in the correction facilities. Nancy asked if an AICs assistive device would be taken away if it had a Bluetooth component. Marica clarified that, while AICs are not allowed cell phones and Bluetooth connections, a device would be allowed if it were able to function equally well without using Bluetooth.

Marica asked for clarification from Joanna about oral interpreters for the hard of hearing. Joanna explained that they sit with the consumer and mouth or enunciate the words that are being communicated, when the consumer doesn't know sign language. Marica asked that Joanna send the information to Joseph to be forwarded to her.

### **2023 Legislative Session Update**

Max Brown first spoke about the budget-making process and the ODHS presentation to the Ways and Means Committee on February 21<sup>st</sup> and 22<sup>nd</sup>. Many people provided public testimony in support of the programs for Aging and People with Disabilities,

Intellectual and Developmental Disabilities, and Vocational Rehab. The next presentation will probably be in April.

Max will send a bill tracker to Joseph and Ryan to share with the Commission so members can see the bills that APD is tracking at all priority levels. Some of the bills being followed are:

- SB 420: Would establish information and referral services and advisory council for individuals with traumatic brain injury and – bill has passed out of committee and is on the way to Way and Means.
- SB 576: Has also passed out of committee - would remove income and resource limits for those with Medicaid in the Employed Persons with Disabilities Program.
- HB 2869 has amendment to create workgroup amount multiple state agencies (ODHA, ODOT, OHCS, etc) to create a comprehensive state plan on aging and disabilities.
- SB 602: Creates a long-term care worker wage board at BOLI to annually recommend a LTC worker pay scale.
- SB 570: Would require ODHS to create a pilot program for Agency with Choice. This model allows for an agency that would take on some roles of an employer that a consumer on Medicaid in-home services with a homecare worker doesn't want to deal with.

Max also followed up on a conversation before the legislative session about working with other commissions. GCSS has just selected a legislative coordinator and Max suggested that he could set up a meeting or two if anyone is interested; Nancy said they would be, as their time allows.

### **Durable Medical Equipment Updates**

Jaime Niño with the OHA Ombuds program, which co-sponsored the Durable Medical Equipment (DME) listening session in

November, with ODHS, APD, and a few other agencies. An internal workgroup has been discovering what was learned and what action they can take in the agencies. The next public meeting is March 23<sup>rd</sup> from 10:30 to noon, and they will be providing a more in-depth update on the conversations and recommendations. While the listening session was for all DME, the primary focus was access to power wheelchairs.

### **Goal Sharing Follow-up Discussion**

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Joseph shared the list of priorities set by the Commission in January's meeting and asked for feedback:

- a. Effective/timely communication
- b. Affordable and accessible housing
- c. Educating law enforcement
- d. Employment for people with disabilities
- e. Public transportation
- f. ODHS Staff trainings
- g. Behavioral and mental health

Tim would like to update the language and remove "explore" as the topic has already been explored quite a bit by other groups.

Marsha also asked for an update on how much change has taken place over the last three years. Joseph suggested bringing in Nirmala Dhar with OHA and possibly someone from APD as well.

- h. Children and youth with disabilities while in educational system
- i. DME repurposing
- j. Utilities customer service access
- k. People with undiagnosed and/or hidden disabilities
- l. Networking and recruitment efforts
- m. Catalog ODC's work
- n. ODC's website

- o. Joanna asked to add appropriate communications with Deaf and Hard of Hearing persons, since often people are told to use notes or typing to communicate, which is not effective, rather than bringing in a sign language interpreter. She also asked to add requiring pharmacies/health care facilities to provide more appropriate communication options.

Joseph asked if the committee wanted to put the list in priority order, and the committee decided to have the Executive Committee do that.

### **Adjourn**

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Meeting adjourned at 3:18 pm.