



STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION

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MEETING NOTICE AND AGENDA

Name of Organization: Nevada Commission on Services for Persons with Disabilities (Nevada Revised Statute [NRS] 426.365)
Date and Time of Meeting: September 30, 2014
9:00 a.m.
Location: 4150 Technology Way, Room 303
Carson City, NV 89706

To join this meeting by phone dial 1-888-251-2909, then enter Access code 8985078 when prompted.

Minutes

I. Welcome and Introductions
Brian Patchett, Commission Chairperson

The Chairperson called the meeting to order at 9:00 a.m.

Members Present: Brian Patchett, Mary Bryant, Bill Heavilin, Gary Olsen, Karen Taycher, Jon Sasser, Nicole Schomberg, Shelley Hendren

Guests: Julie Balderson (ADSD), Vicki Kemp (ADSD), Jack Mayes (Nevada Disability Advocacy & Law Center), David Daviton, Reggie Bennett (RAGE), Rebecca Shorts (Nevada Home Health), Samantha King (Nevada PEP), Dan Dinnell (Nevada IDEA Part C), Laura Valentine (ADSD), Jeff Beardsley.

Staff: Desiree Bennett (ADSD), Kimberly Dawson (interpreter), Debbie Chadwick (interpreter)

37 II. Public Comment (No action may be taken upon a matter raised under public comment period unless
38 the matter itself has been specifically included on an agenda as an action item. Public comment at the
39 beginning and end of the agenda may be limited to three minutes per person at the discretion of the
40 chairperson. Members of the public may comment on matters not appearing on this agenda or may offer
41 comment on specific agenda items. Comments may be discussed by the Board but no action may be
42 taken. The matter may be placed on a future agenda for action)
43

44 Mr. Mayes asked the commission to include an agenda item for the next meeting
45 as an update on deaf services programs in Nevada and information regarding
46 grants that have been awarded.
47

48 Mr. Daviton thanked the CSPD and would like the Commission to look into the
49 issue of exclusion that has happened to many members of the deaf community.
50

51 III. Approval of Minutes from the July 29, 2014 Meeting (For Possible Action)
52 Brian Patchett, Commission Chairperson
53

54 Ms. Bryant made a motion to approve the minutes from July 29. Mr. Sasser
55 seconded the motion. Minutes were approved with corrections including added
56 definitions and line numbers.
57

58 IV. Follow up on Legislative Committee on Senior Citizens, Veterans, and Adults
59 with Special Needs.
60 Brian Patchett, Commission Chairperson
61

62 Each member received a copy of the letters of support that were sent out to the
63 persons and agencies voted on at the last CSPD meeting.
64

65 Mr. Sasser updated the Commission on the work session document that came
66 out of the previous Legislative Committee meeting and his meeting with
67 Assemblywoman Teresa Benitez-Thompson, Chair of the Legislative Committee
68 on Senior Citizens, Veterans and Adults with Special Needs. A recommendation
69 made by the CSPD was included in the document affecting changes to the
70 statute regarding the Public Utilities Commission (PUC) and the advocacy
71 activities done by deaf centers. A recommendation that was not included was to
72 take the decision making power away from the PUC and give it to the
73 Legislature. There would be a budget put forward by the Division that could cover
74 the funding for the centers and interpreter services. The role of the PUC is to
75 decide the amount of the surcharge. Assemblywoman Teresa Benitez-Thompson
76 would like to set up a meeting in November to discuss what the most effective
77 way is to move forward in changing the bill. The next recommendation not
78 included was the budget item request for the interpreter pool. Assemblywoman
79 Thompson did not agree that the committee recommend any money items that
80 Aging and Disability Services Division (ADSD) has not included in their budget.
81 She did state that if the item is not included in the agency budget, she will write a
82 letter of support to the Governor and the Finance Committee about it.
83 Assemblywoman Thompson decided to stay away from issues surrounding the

84 closed circuit captioning for Legislative committees and sessions because of the
85 threat of an alleged lawsuit aimed at the Legislative Council Bureau (LCB).
86 Mr. Olsen stated there is no intention of a lawsuit, but rather a hope to
87 collaborate on making these services possible. There has been confusion on the
88 cost and the appropriate technology needed for captioning services.
89 Mr. Sasser made a motion for Mr. Patchett to write a letter on behalf of the
90 Commission on Services for Persons with Disabilities to the Legislative
91 Commission and to Rick Combs, the Director, outlining the concerns of
92 captioning services and asking to appear before the Commission for a
93 discussion. Mr. Olsen seconded the motion. Motion passed.
94

95 The Commission discussed that similar lawsuits have not been made in other
96 states regarding captioning services and it has been through collaboration that
97 captioning is provided at legislative meetings. The lack of interpreters at
98 legislative meetings cause restricted one-way conversations. There are three
99 main issues when discussing interpreter availability in the state:

- 100 • Providing captioning services for people sitting in the audience or who are
101 watching from home.
- 102 • When someone who is deaf or hard of hearing wants to participate in the
103 meeting discussion, there needs to be interpreters present to create a two-
104 way conversation.
- 105 • The legislative branch has its own independent Americans with Disabilities
106 Act (ADA) responsibility to the deaf and hard of hearing community and
107 need interpreters just as much as the executive branch. Mr. Sasser would
108 like the previously mentioned letter to include all three issues.

109 Mr. Sasser stated that October 15th, the agency requested budgets become
110 public, which will give the Commission a chance to support or oppose items that
111 were included. Mr. Sasser would like to add an agenda item for the next CSPD
112 meeting to include a presentation from Romaine Gilliland, Director for the
113 Department of Health and Human Services (DHHS) discussing all the agencies'
114 budgets and also invite someone from the Department of Employment, Training
115 and Rehabilitation (DETR) to do the same.
116

117 Mr. Sasser gave an update that approval was given from the Interim Health
118 Committee for Nevada to cover ADA services through Medicaid for children with
119 autism and received support from the Centers for Medicare and Medicaid
120 Services (CMS).
121

122 Mr. Patchett commented that there have been conversations about funding and
123 what dollars will be used to rewrite the Nevada Olmstead Plan.
124

125 Ms. Bryant updated the Commission that the new power of attorney for people
126 with intellectual disabilities will be a Bill Draft Request (BDR) this session. She is
127 unsure at this time of the procedures of appointments.

128 Ms. Bryant also met with Assemblywoman Teresa Benitez-Thompson, who
129 stated there will be a bill to support employment first requiring Community

130 Training Centers (CTCs) to report how much money each person is working in
131 the first year; then in the second year, any increase in pay. She stated she is
132 unsure if the employment first bill will cover integrated and subminimum wage
133 issues. The Commission wants to add an agenda item to the next meeting
134 reviewing the list of key bill draft requests.
135

136 Mr. Patchett announced to the Commission that a teleconference will be held on
137 October 8th for people who are interested in issues related to people who are
138 blind or visually impaired. A report on the recent Town Hall meetings, focusing
139 on the service needs of individuals who are blind or visually impaired will be
140 added to the next CSPD meeting's agenda.
141

142 Mr. Sasser had questions about ADSD's caseload statistics growth and waitlist
143 numbers that Ms. Valentine will forward to ADSD's Deputy Administrator.
144 Discussions of the caseload statistics will be a standing agenda item for future
145 CSPD meetings and will show a breakdown of different services. The
146 Commission discussed changing the language to meet the required language of
147 Nevada to, "intellectual disability".
148

149 V. Update and Report on State Independent Living Plan from Northern Nevada
150 Independent living

151 Lisa Bonie, Executive Director, Northern Nevada Center for Independent
152 Living

153 The Statewide Independent Living Council (SILC) had their last public meeting in
154 July regarding the State Plan for Independent Living (SPIL). The process is
155 almost complete in supplying more budget information. The approval of the SPIL
156 is anticipated to happen at the next SILC meeting on Thursday, October 2nd. Ms.
157 Bonie will e-mail copies of the approved SPIL to the members of the
158 Commission.

159 Ms. Bonie shared her concerns with the Commission on how different
160 committees are finding difficulty in communicating with each other; causing a lot
161 of missed opportunities. The Commission discussed the different options of
162 sending delegates from each committee to present information and how to
163 strengthen communication.
164

165 Ms. Taycher asked questions regarding the SPIL.

- 166 • What group of citizens is receiving coordinated services by vocational
167 rehab (VR) and independent living (IL) and who is being transitioned
168 from nursing facility care (SPIL Goal 1.A and B).
- 169 • What is included in "SLIS" services as stated in Goal 2.1 of the SPIL.

170 Ms. Kemp stated that the numbers on the plan are statewide through the
171 Assistive Technology (AT) for Independent Living (IL) program and coordinated
172 efforts from vocational rehab. The SPIL includes people with disabilities of all
173 ages. There will be a report from the SILC on the outcomes of the Town Hall
174 meetings for Service needs of individuals who are blind or visually impaired once

175 all the data has been collected. The SILC has been working on revising the State
176 Plan and will have it approved at the upcoming SILC meeting.

177 Ms. Taycher also expressed concern about the blind and visually impaired
178 community of Nevada and the lack of appropriate services available to them. She
179 asked for more information to be presented on how the Centers for Independent
180 Living (CILs) programs are helping that population. Including data by disability
181 type would be helpful.

182 Mr. Patchett stated the Commission would like to understand what is included in
183 the independent living programs and making sure that people with disabilities,
184 regardless of the disability, are being represented in independent living services.
185 He would like a full report and overview of the Independent Living program and
186 what services the CILs are providing. The commission would also like to have
187 more information on the federal report on what the State Plan for Independent
188 Living goals are, what's been achieved and who has been served.

189
190 Mr. Patchett made a comment about the expected establishment of an
191 Employment First Task Force in October. Ms. Hendren stated there will be
192 decisions made about appointment quickly because of the approaching
193 Legislative session. Applications for the Task Force will be submitted through the
194 Governor's office.

195

196 VI. Presentation on Existing Services for Traumatic Brain Injury from Nevada
197 Community Enrichment Program (NCEP)
198 Jodi Sabal, Director, NCEP

199
200 Ms. Sabal presented a PowerPoint on the Nevada Community Enrichment
201 Program and its services (attachment A).

202
203 Ms. Valentine asked if information can be pulled on the causes of how minors in
204 the program obtained a brain injury.

205 Ms. Sabal did not include the specifics in her presentation, but stated the
206 information is available. In 2013, NCEP had four minors with an acquired brain
207 injury and ten with Traumatic Brain Injury (TBI). There are currently two children
208 at NCEP.

209 Ms. Sabal answered Mr. Sasser's question, that NCEP is the state program that
210 serves the north and south. They do get referrals from northern Nevada primarily
211 from rehabs, hospitals and some group homes. NCEP will send someone from
212 the north to administer a pre admission evaluation. People in the north are
213 always residential clients. There is currently no day treatment for the north.

214 Ms. Sabal addressed a question about the amount of clients with Medicaid
215 payments, stating some clients are usually in the process of applying for
216 Medicaid and are awaiting approval. Clients who may be eligible for Medicaid
217 through the exchange may still not be able to afford it.

218 Ms. Taycher stated that Washoe and Clark counties are having issues in
219 children's behavioral health, with a lack of providers for the more specialized
220 services. She asked if it is the same through the two HMO's (Health Maintenance

221 Organization) and new people are being signed up on an HMO not a “fee for
222 service” Medicaid, do those medical providers try to refer out to things other than
223 NCEP? Ms. Sabal believes there is not a whole lot for kids with TBI, there is not
224 a lot for them to refer out to, other facilities that do rehabilitation, don’t take kids
225 with TBI. There has been a lot of confusion on the two plans with eligibility,
226 payments and authorizations. Ms. Taycher shared that she has two contacts in
227 the Medicaid office that families are sent to directly if they are having difficulty
228 with either of the HMO’s in accessing the more specialized care.

229 Ms. Sabal answered a question about why her chart lists that 14 people were
230 denied service because of payment source. Someone might be denied because
231 they did not qualify for the grant; they had no payment source, or are pending
232 Medicaid approval.

233 Ms. Taycher suggested NCEP look into Medicaid presumptive eligibility.

234 Ms. Sabal stated that NCEP may receive a referral on someone who needs
235 physical therapy and not a comprehensive program. NCEP will refer clients to
236 other facilities or programs better fitting to their needs.

237 Ms. Sabal answered a question by Mr. Sasser that the state funds ASD with a
238 flat yearly amount. Last year the grant was \$1.2 million. In 2013, NCEP served
239 104 clients; 89 admissions, and 85 discharges. This included 14 residential, 13
240 transition, and 58 day clients. A transition client is a client who received
241 residential care and improved enough for day only care. 42% of the 104 clients
242 served were on state funding. None of the 104 clients served in 2013 had any
243 hearing impairment or deafness. Ms. Sabal stated that three to four years ago
244 there was a client with a TBI who was born deaf and received an interpreter
245 during his therapy.

246

247 VII. Discussion on Recommendations Made by the CSPD Nominating Subcommittee
248 for Filling Vacant CSPD and Subcommittee Membership Positions (For Possible
249 Action)

250 Bill Heavilin, Nominating Subcommittee Chair

251

252 Mr. Heavilin updated the Commission on the CSPD Nominating Subcommittee
253 meeting that took place on August 21st. Two applications were submitted; one to
254 the CSPD and the other for the CSPD subcommittee on Communication
255 Services. The subcommittee discussed different ideas on recruitment efforts for
256 all ASD boards and commissions. The Subcommittee also discussed the other
257 statutory subcommittee: Subcommittee on Personal Assistance for Persons with
258 Severe Functional Disabilities (PAS) that is not currently active. The
259 Subcommittee decided to not actively fill the subcommittee and to instead fill
260 positions on the current commissions with people who are interested and
261 knowledgeable about Personal Care assistance issues.

262 Mr. Patchett asked for discussion on David Daviton’s application.

263 Mr. Olsen commented that David is qualified for the position but he is concerned
264 about duplication in areas of expertise. This commission does not have
265 representation from mental health. Mr. Olsen would like to encourage people to
266 expand to different places and get involved in different commissions and to share
267 knowledge.

268 Ms. Schomberg, member of the Nominating Subcommittee, commented that her
269 concern is that all the members of the CSPD are terming out except herself,
270 Jennifer Pharr and Shelley Hendren. It is a good time to transition members and
271 work on as much recruitment as possible. It is important to take on any kind of
272 applicable expertise and someone who meets the qualifications, rather than
273 worry about duplication.

274 Ms. Valentine stated that she has reached out to her contacts in public and
275 Behavioral Health to see about getting people from that division or their
276 stakeholders to join the Commission.

277 Mr. Patchett commented that he is worried about the entire commission terming
278 out and to avoid that situation in the future, explore the possibility of extending
279 and staggering current terms. The position that needs to be filled is under the
280 persons with disabilities, parents or family member of persons with disabilities.
281 Mr. Sasser would like to encourage Mr. Daviton to also apply to the SOCS to
282 serve as a liaison between the two committees. He stated he is not worried about
283 the duplication.

284 Mr. Olsen made a motion to table the agenda item and discussion of Mr.
285 Daviton's application to the next CSPD meeting because there is no consensus
286 with the Commission. Ms. Bryant seconded the motion. Mr. Heavilin opposed,
287 Ms. Taycher abstained. Motion passed to table the item.

288 Mr. Patchett asked for any discussion on the second application submitted by Eli
289 Schwartz.

290 Mr. Olsen stated that Mr. Schwartz has the skills and knowledge to become a
291 member of the Subcommittee on Communication Services and there is no longer
292 a conflict of interest for him.

293 Mr. Olsen made a motion to select Mr. Schwartz for the vacant position he
294 applied for on the SOCS. Mr. Sasser seconded the motion. Motion passed.

295 Mr. Sasser made a motion to find someone who is a consumer of person care
296 services and not a member of the subcommittee because it is inactive. Ms.
297 Schomberg seconded the motion. Motion passed. Mr. Heavilin stated that there
298 will be further discussion on how to fill that position and how to extend
299 membership terms at the next Nominating Subcommittee meeting on October
300 23rd.

301 Mr. Olsen reiterated his concerns on the vacancy of a representative from mental
302 health on the Commission. There are a lot of issues surrounding that population
303 that aren't being addressed.

304

305 VIII. Discussion and Possible Determination of Issues and Agenda Items to be
306 Considered or Deliberated at the Next Meeting (**For Possible Action**)

307 Brian Patchett, Commission Chairperson

308 Discussion topics/ agenda items for the next CSPD meeting include:

- 309 • Department budget highlights
- 310 • Statistics and caseload update as a standing item
- 311 • List of key BDRs
- 312 • Report on Town Hall meetings
- 313 • Review of Independent Living Centers

- 314 • Olmstead update
- 315 • Introduce Chuck Damon who oversees PAS at ASD
- 316 • Ongoing VR report
- 317 • Update from nominating subcommittee
- 318 • Update on Employment First Task Force
- 319 • Update on housing locator form the Housing Division.
- 320 • Update from Medicaid including presumptive eligibility(item for
- 321 November meeting)
- 322 • Presentation from Nevada Early Intervention (item for November)
- 323 • Update from Governor’s Council on Behavioral Health (item for
- 324 November)
- 325 • Presentation from the head of prisons discuss persons with
- 326 disabilities (Item for November)
- 327 • Discussion on equipment distribution
- 328

329 IX. Confirm Dates for Future Meetings: October 28 and
 330 November 18, 2014 **(For Possible Action)**
 331 Brian Patchett, Commission Chairperson

332 The next CSPD meeting is scheduled for October 28th in Reno.

333
 334
 335 X. Public Comment (May Include General Announcements by Commissioners) (No
 336 action may be taken upon a matter raised under public comment period unless the matter itself has been
 337 specifically included on an agenda as an action item. Public comment at the beginning and end of the
 338 agenda may be limited to three minutes per person at the discretion of the chairperson. Members of the
 339 public may comment on matters not appearing on this agenda or may offer comment on specific agenda
 340 items. Comments may be discussed by the Board but no action may be taken. The matter may be placed
 341 on a future agenda for action)

342
 343 Ms. Bryant stated that City Care, a nonprofit organization in Reno has been
 344 awarded a grant by the Governor’s Council on Developmental Disabilities to set
 345 up a Northern Nevada Transportation Coalition to develop universal solutions to
 346 serve people with and without disabilities in the community. Ms. Bryant informed
 347 the Commission about the passing of Elizabeth Downing, a self-advocate and a
 348 founding member of People First.

349
 350 Mr. Olsen stated that the next SOCS meeting will be on October 3rd.

351
 352 Ms. Hendren updated the Commission on the new Director for DETR as Don
 353 Soderberg.

354 DETR had their annual “in service” for vocational rehab and services to blind and
 355 visually impaired, which is a grant received through Rehabilitation Services
 356 Administration (RSA). Next year will be the last “in service”, as they are no longer
 357 issuing “in service” grants. “In service” provided DETR with a chance to discuss
 358 employment first and integrated employment. There was discussion on the
 359 changes to the Work Force Innovation Opportunity Act (WIOA) and updates on
 360 mental health. Awards were given out to employers who have shown a

361 commitment to hiring individuals with disabilities; such as Arrow Electronics,
362 Goodwill and OfficeMax. The Starbucks roasting plant in Minden visited the
363 OfficeMax distribution center and is soon launching a similar program. OfficeMax
364 is pretty open to ride sharing, and options are being reviewed to make those
365 solutions more permanent. Ms. Hendren stated a conference is coming up next
366 month for directors of vocational rehab programs nationwide focused on WIOA
367 changes.

368 Ms. Hendren also added that Voc. Rehab is down five counselors in the South
369 but are continuously recruiting and training. As of September 12th, Voc. Rehab
370 has had 893 successful case closures in comparison to last year with 749
371 closures.

372
373 Mr. Sasser stated for a future agenda item to include a gathered list of critical
374 professions that Nevada doesn't have programs for in the the higher education
375 system that serves people with disabilities. It also might be a good idea to have a
376 non-voting member on the Commission from the Nevada System of Higher
377 Education.

378
379 **XI. Adjournment**

380 Brian Patchett, Commission Chairperson

381
382 Mr. Sasser made a motion to adjourn the meeting. Mr. Olsen seconded the
383 motion. Motion passed.

384
385 **Commission on Services for Persons with Disabilities Members**

386 Brian Patchett (Chair), Mary Bryant (Co-Chair), Bill Heavilin, Gary Olsen, Jodi Sabal, Jon Sasser, Karen Taycher, Nicole
387 Schomberg, Jennifer Pharr, Shelley Hendren

388
389 **NOTE:** Agenda items may be taken out of order, combined for consideration, and/ or removed from the agenda at the
390 Chairperson's discretion. The public body may combine two or more agenda items for consideration. The public body may remove
391 an item from the agenda or delay discussion relating to an item on the agenda at any time. The public body may place reasonable
392 restrictions on the time, place, and manner of public comments but may not restrict comments based upon viewpoint.

393

NOTE: We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend
394 the meeting. If special arrangements for the meeting are necessary, please notify Desiree Bennett at (775) 687-0586 as soon as
395 possible and at least five days in advance of the meeting. If you wish, you may e-mail her at dabennett@adsd.nv.gov. Supporting
396 materials for this meeting are available at: 3416 Goni Rd, D-132, Carson City, NV 89706 or by contacting Desiree Bennett (775)
397 687-0586 or by email at dabennett@adsd.nv.gov

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402 ***Agenda Posted at the Following Locations:***

- 403 1. Aging and Disability Services Division, Carson City Office, 3416 Goni Road, Suite D-132, Carson City, NV 89706
- 404 2. Aging and Disability Services Division, Las Vegas Office, 1860 East Sahara Avenue, Las Vegas, NV 89104
- 405 3. Aging and Disability Services Division, Reno Office, 445 Apple Street, Suite 104, Reno, NV 89502
- 406 4. Aging and Disability Services Division, Elko Office, 1010 Ruby Vista Drive, Suite 104, Elko, NV 89801
- 407 5. Nevada Community Enrichment Program, 2820 West Charleston Boulevard, Las Vegas, NV 89146
- 408 6. Southern Nevada Center for Independent Living, 6039 El Dora Street H-8, Las Vegas, NV 89101
- 409 7. Disability Resource Center, 155 Glendale Avenue, Reno, NV 89431
- 410 8. Nevada State Library and Archives, 100 North Stewart Street, Carson City, NV 89706
- 411 9. Desert Regional Center, 1391 South Jones Boulevard, Las Vegas, NV 89146
- 412 10. Sierra Regional Center, 605 South 21st Street, Reno, NV 89431
- 413 11. Rural Regional Center, 1665 Old Hot Springs Road, Carson City, NV 89706
- 414 12. Northern Nevada Center for Independent Living, 999 Pyramid Way, Sparks, NV 89431
- 415 13. Dept. of Health and Human Services, 4126 Technology Way, Carson City, NV 89706

416 14. Early Intervention Services, 2667 Enterprise Road, Reno, NV 89512
417
418 Notice of this meeting was posted on the Internet at: <http://www.adsd.nv.gov/> and <https://notice.nv.gov>