



P.O. Box 33386
Las Vegas, NV 89133
nvsilc@adsd.nv.gov
<https://www.nvsilc.com/>

Draft Minutes

Name of Organization: Nevada Statewide Independent Living Council (NV SILC) Transition Workgroup

Date and Time of Meeting: Thursday, June 24, 2021
10:00 a.m.

This meeting is open to the public and will be held at the following location:

Nevada Department of Health and Human Services
Aging and Disability Services Division
3416 Goni Road Suite D-132, Carson City, NV 89706

And via video-conference at:

The public may also observe this meeting and provide public comment on Zoom.

To Join the Zoom Meeting

<https://us02web.zoom.us/j/9299041434?pwd=NmM5Tk1Od3ltRzg1enhRYTU3WDdUZz09>

Meeting ID: 929 904 1434

Password: NVSILC (case sensitive)

+1 253 215 8782 US (Tacoma)

The number provided may incur long-distance telephone carrier charges, and is offered as a regional call-in number, only.

Meeting ID: 929 904 1434

Password: 707401 (if exclusively calling in; if accessing the meeting via *both* the audio and video feed, please use the *above* password *instead*)

Find your local number: <https://us02web.zoom.us/j/9299041434?pwd=NmM5Tk1Od3ltRzg1enhRYTU3WDdUZz09>

Meeting Materials Available at: <https://www.nvsilc.com/meetings/>

1. Welcome, Roll Call and Introductions
Ace Patrick, Chair

Members Present: Ace Patrick, Dee Dee Formaster, Sabra McWhirter,
Guests: Kathy Vairo, Ted Nagel, Deanna Gay
Staff: Dawn Lyons and Wendy Thornley

2. Public Comment

Members of the public will be invited to speak; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Please clearly state and spell your first and last name, if unique or otherwise unfamiliar to the Subcommittee. Public comment may be limited to 3 minutes per person, at the discretion of the chair. Agenda items may be taken out of order, combined or consideration by the public body, and/or pulled or removed from the agenda at any time. Pursuant to NRS 241.020, no action may be taken upon a matter during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

No public Comment

3. Introductions and/or Announcements Regarding New Participants and Interested Parties.

Ace Patrick, Chair

There are no new participants or interested parties.

4. Discussion Regarding AB253 Changes to Open Meeting Law for Public Bodies.

Dawn Lyons, SILC Executive Director

Dawn Lyons: This subcommittee is allowed to have virtual meetings without a physical location now. To do that, this group needs to follow the rules of making sure to post the meeting agenda in the correct places, and to have clear instructions on how to join the meeting on the agenda. The SILC is working to be the most accessible that it can be and will do its best to find a physical location for those who need to attend in person for meetings, even though it is no longer required.

5. Discussion and Make Recommendations to NV SILC Regarding the Following Legislative Bills and Initiatives **(For Possible Action)**:

AB190-Family Leave Allowed for Those who Have Sick Leave (signed 5/29)

AB216-Medicaid Coverage for Cognitive Assessments (not including conditions with temporary or reversible effects) (delivered to Governor 5/29)

AB344-Establishes a State Program through DHHS that facilitates the transfer of older persons and persons with disabilities from hospital to home in collaboration with staff, older person or PWD and caregiver (signed 5/27)

AB407-Order of Protection for vulnerable (Dead)

Dawn Lyons will reach out to Jennifer Richards for more information on why AB407 died.

SB93-Medicaid to pay individuals direct for some Personal Care Assistance Services (dead)

Ted Nagel: He feels that it died due to being lumped in with AB495, which passed partially. It did go through a couple of committee meetings, prior to the last day and in expedition to get it.

Kathy Vairo will reach out to the DAGs who were very passionate about AB407, for more information and will get that to Dawn.

SB96-Increase Reimbursement Rates for Autism (ASD) Services (\$52 per hour min. eff. 7/1/2023)

SB206-Requirement of Provider of Insurance to Offer Appropriate Supplemental Plans for Services in Which Medicare Does Not Cover (Dead)
SB208-Increases Age to 26 for ASD Diagnosis and Treatment Coverage & Creates Provisional License (Dead)
SB295-Prohibits Termination or Limitation of Compensation for Permanent Disability Based on Earned Income (delivered to Governor 6/2/2021)
SB305-No Discrimination Against Persons With Disabilities Regarding Organ Transplants (signed 5/31/2021)
SB340-Creates "Home Care Employment Standards Board" under DHHS Director (delivered to Governor 6/2/2021)

Dawn Lyons: This is the kind of data that this group was talking about gathering themselves, using surveys to collect information that was not readily available. The Legislature decided to act and so this group will follow up on this but will not have to do the surveys. She suggested following this Home Care Employment Standards Board and their data, their reporting and maybe attend some of their meetings to see what information they are gathering. This group can assess that information and then reconvene this work group later, maybe within a half a year to see what the first two quarterly reports come up with. If the Board is not addressing everything this group wanted to, this workgroup could meet again within six months to assess any actions needed. This group could suggest that the SILC recommend to the board, that they address certain issues that they are not, and still have time to get that information into a Legislative interim committee.

SB420-Public Health Option (delivered to Governor 6/2)

6. Discussion and Make Recommendations for Future Direction of this Workgroup (**For Possible Action**).
Ace Patrick, Chair

Ace Patrick: It might be a good idea for this Transition Workgroup to reconvene within six months after the first meeting of the Homecare Employment Standards Board, or at least after the first report that they put out.

Dawn Lyons: Is wondering if this group really needs to have regular meetings. That should be decided after this group comes back and discusses what is already happening and figure out if there is something this group needs to do or if they should leave it to the full SILC to continue this work, or if the Transition Workgroup is still necessary.

Sabra McWhirter: I agree that we should wait until some data comes out after the reporting.

Dee Dee Foremaster: If the Board is working hard on this program, that will shift away from this group doing the work alone.

Dawn Lyons motioned for the SILC Transition Workgroup to suggest to the SILC that a SILC member or a Transition Workgroup member or both, attend the next Homecare Employment Standards Board meeting, or at least follow the reporting and bring that information back to this workgroup.

Sabra McWhirter seconded. After the discussion below, the group voted, and the motion carried.

Deanna Gay: She has been a caregiver and worked with people with intellectual and developmental disabilities for approximately 20 years now. She feels it is important to find out why caregivers come to work, why they leave, and other data.

Dawn Lyons: This group initially started working on creative solutions to improve the home care worker situation for the consumer, the home care worker, and the provider that hires them. This group was looking for creative solutions other than Medicaid increasing their pay rate, because that was something this group did not think was very likely, considering the budget cuts that were proposed.

This group has changed direction often with the Legislative session happening. There were several developments during that. One of them was the bill that Ted had put forward with Senator Settlemyer.

There were other things happening within Medicaid as well, they were not going to have to take the budget cuts that they thought they would have to. This group then started talking about how to educate any legislators about what the needs of people with disabilities are. There were several bills that this group could provide public testimony on if someone had a personal experience that they would like to share.

Some efforts were made regarding disability language, that crossover into this work group as well.

Two of them that were for Person First Language and then there were two for constitutional language. Those were all passed through

This group decided that there is a need for hard data on this subject because no one was collecting this data that they were aware of.

This group was working with someone from Medicaid, and she was helping them with contacting the providers and asking them if they would be willing to do a survey, fill out a survey for this group, and how this group could get a survey out to consumers as well. Then the Legislature came up with the Home Care Employment Standards Board, that is supposed to collect the data, so this group does not need to do the surveys anymore.

Today's meeting is to decide what the future direction of this Transition Workgroup will be, and that will depend on the data that will be collected regarding the issues this group has been focused on.

Deanna Gay: Likes the idea that the Board will take some of the work off this group's plate.

Ted Nagel: Who makes up that board that they have developed?

Dawn Lyons: She read the description and mission of the Employment Standards Board to the group. "Section 13 sets forth the membership of such a board, which consists of certain representatives of home care employers and home care employees and certain other persons. If the Director determines that it is necessary, or upon the petition of 50 or more homecare employees, the Director shall establish a Home Care Employment Standards Board to investigate and develop recommendations as provided in Section 16 of this act."

The Director or his or her designee who serves as chair, and a non-voting member and the following voting members, 1, The Labor Commissioner, 2, Three representatives of homecare employers appointed by the Director, 3, Three representatives of home care employees appointed by the Director, and for three persons who receive, or are representatives of persons who receive services from a homecare employee appointed by the Director.

Dawn will send the link for the above information, to the group.

Dee Dee Foremaster: Feels that this workgroup needs to get a member onto the Board as soon as possible.

Ted Nagel: The person who decides if there is going to be a board is based on receiving signatures, or a petition of 50 or more employees, that is a big standard to even establish the board. It sounds like there must be a petitioner, but at least 50 employees, before they established the board. He is concerned about putting the meeting off as far as this group did in the last vote. Too much can go by, and nothing is going to happen before this group gets together again.

Dawn Lyons: It is a petition or if the Director sees a need, which was already established.

Ted Nagel: As a representative of the workgroup, he would like to be a member on that Board and that other workgroup members could attend the meetings.

Dawn Lyons: She agreed that Ted should be a member and that she could observe and gather information to bring back to the workgroup. She will also reach out to Stephanie Schoen about being recommended by the SILC to become a member of the board.

7. **Discussion and Make Recommendations Regarding the NV SILC Website Content (For Possible Action).**

Ace Patrick, Chair

Dawn Lyons: Until the Youth Action Council gets involved, Dawn and Wendy Thornley are the only people adding content to the SILC website, with Wendy adding meeting information and Dawn adding all other content. Dawn asked the group to contact her or Wendy to submit ideas and materials for website content relating to transition issues.

8. **Approve Next Meeting Agenda Items and Next Meeting Date (For Possible Action)**

NV SILC Annual Meeting Scheduled for July 7 & 8, 2021 at 1:00pm

Ace Patrick, Chair

Dawn Lyons: Once the group has more information, they can decide on the next Transition Workgroup meeting date.

9. **Public Comment**

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Dawn Lyons: She let the group know, that on July 21st, the Northern Nevada Center for Independent Living (NNCIL), will be hosting a dinner at the Sparks marina to celebrate the 30th anniversary of the ADA passage. The prior year was the actual 30th anniversary but was postponed due to Covid. She thanked everyone for coming to this meeting.

Deanna Gay: She is excited about the work being done and has great respect for the personal challenges people face.

10. Adjournment

Ace Patrick, Chair

NOTE: We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Wendy Thornley at (775) 687-0551 as soon as possible and at least five days in advance of the meeting. If you wish, you may email her at wthornley@adsd.nv.gov. According to NRS 241.020, supporting materials for this meeting is available at: 3416 Goni Road, #D-132, Carson City, NV 89706 or by contacting Wendy Thornley at (775) 687-0551 or by email at wthornley@adsd.nv.gov.

Agenda Posted at the Following Locations:

Notice of this meeting was posted on the Internet: <https://www.nvsilc.com/meetings/> and <https://notice.nv.gov> and <https://www.nvsilc.com/>