

N.C. Statewide Independent Living Council
Quarterly Meeting Minutes
May 4, 2018
Country Inn & Suites, Burlington, NC

Members Present: Melea Williams, Judy Stout, Pat McGinnis, Marion Quirici, Chris Rivera, Sheila Winborne, Sandra Hicks, Josh Denton, Cindy Arrington (Executive Director, NCSILC), Ashley Elrod, Barry Washington

Members Absent: Mark Steele, Donna Tooill, Carrie Bradstock, Ricky Scott

Ex-Officios Present: Pamela Lloyd-Ogoke (NCDVR); Chris Egan (NCCDD), Vicki Smith (DRNC), Tom Austin (for Jan Withers, NCDSDHH), Chrystal Jackson Cheeks (NCDSB)

Ex-Officios Absent: John Maren (NCCAP), Jan Withers (NCDSDHH)

Public: Jackson Denton, Rene Cummins, Fred Johnson, Helen Pase, Lydia Cosgrove, Julia Sain, Benita Williams, Chris Rivera, Brian Tipton (Interpreter), Sarah Wheeler (Interpreter)

Welcome/Mission/Minutes

In the absence of Mark Steele, Chairperson, the meeting was called to order at 9:00 by Melea Williams, Vice-Chairperson.

SILC Mission and SILC Accessibility Reminders

Melea Williams read the mission and accessibility statement, then introduced the NCSILC's new Executive Director, Cindy Arrington. She shared that she is delighted and honored to be the new Executive Director of the NC SILC and knows she is surrounded by passionate disability rights advocates who know how to have their voices heard in order to make difference in the lives of people with disabilities in our great state of N.C.

Update about Minutes of Last Meeting

Minutes from the February 2017 meeting are not ready due to recording issues.

Vicki Smith pointed out that she is listed as an Ex Officio SILC member and, according to the letter from Governor Roy Cooper, is listed as Ex Officio Member; however, the SILC bylaws that were revised and then passed by the SILC have her listed as a voting member.

In response to a request for clarification, Vicki stated that it had been the goal of the bylaws committee that only state agency representatives and state employees as Ex-Officios would not vote but the P&A representative COULD vote.

After discussion it was agreed that the Executive Committee and the Governance Committee would work together to clarify the issue.

Vicki then announced that it is good timing to get this issue resolved as she is retiring September 2018 so this is probably her last meeting.

Joshua Denton asked Vickie to send a letter to the Executive Committee about her retirement and he can submit her letter to Katie Henderson who is over the Boards and Commission at the Governor's office to resolve this.

MOTION: Vicki Smith will write a letter to the Executive Committee officially announcing her retirement and requesting that the DRNC representative become a voting member.

Made by Joshua Denton. Seconded by Pat McGinnis. Carried unanimously.

Board Member Training

Yesterday the SILC member training topic was on writing the SPIL. She will be sending out information from the training. It was pointed out that there are CIL Directors on the SPIL writing committee who are not on the email list. Melia will correct the oversight.

Approval of the Agenda

MOTION: Accept the agenda for today's meeting as submitted.

Made by Pat McGinnis. Seconded by Judy Stout. Carried unanimously.

SILC Congress: Barry Washington & Sandy Hicks

Barry Washington and Sandy Hicks attended SILC Congress in February. Sandy reviewed the workshops she attended and what she had learned about SILC duties. Sandy related that it was a wonderful conference. She brought some SILC Guidebooks and left them for members to take. Barry also reinforced the SILC congress was a great conference. He mentioned the state of Florida has a motorcycle tax in order to raise additional money for the SILC. He will follow-up with his notes and locate the phone number for the resource contact about the motorcycle tax.

Deja Barber reported that she went to the DRNC conference in Chapel Hill, NC. She has information on a flash drive and has additional information she can send out to everyone.

Standing Committee Updates

Finance Committee – Caroline Bradstock is absent today from the SILC meeting.

Governance committee – Sandy Hicks reported that the SILC is currently out of compliance due to vacancies. We are getting applications from our low region areas. We are asking for everyone to assist the committee to encourage people to apply. They do have applications they are evaluating and will be setting up interviews soon. There are several SILC members who will be rotating off the SILC in August and she encouraged members to consider reapplying. Pat McGinnis stated her concern that the membership process takes a long time. There are 5 applicants and the committee has contacted 4 of them. They will be setting up interview times and dates. Everyone wants to make sure the SILC moves forward to get a full Board.

Advocacy Committee - Marion Quirici provided an update in Ricky Scott's absence. There was a conference call of the committee in April, addressing three issues: 1) the Codification of NC SILC; 2) accessible/affordable housing shortage; 3) the importance of partnering with other organizations to advocate for people with disabilities. Re: codification - committee can move forward now that an ED has been hired. Re: housing - Marion has involved Duke University Public Policy students to engage in research project on this area to evaluate affordable housing for people with disabilities which should be available soon. There are also programs that assist individuals with disabilities to become homeowners. She announced there will be a public forum on housing issues on May 23, 2018 from 6-8 in the Self-Help building at 301 West Main Street, Durham. Re: partnerships – they encourage SILC members to become involved from different sections throughout the state in order for partnerships to be developed.

Action Committee – Ashley Elrod reported that the focus of the Action Committee is on SPIL development and planning by collaborating with online document sharing. They have approached the SPIL planning from two directions, historical and regional comparisons. At this point they are data gathering questions for the survey to make them approachable for everyone and detailed enough to give them the information they want which has been an ongoing process.

SPIL Goals report

In Mark Steele's absence, Ashley Elrod gave his report on Goals 1-5:

Goal 1: The CILs provide quality services as needed by people with disabilities.

Year to date: 10 CIL staff attended conferences and training as follows: ASL classes, Ending Homelessness; ADA Live; Disability and Aging; Personal Care Services; ADA and Older Adults; Services Animals; WIOA; Able Accounts and Self Sufficiency.

The network is due to have 2 retreats between now and the end of September.

Goal 2: Youth with disabilities have increased leadership and empowerment

Year to Date: Because there was no qualified applicant for the YLF event, the funds were distributed equally among the CILs as per the SPIL language. The Network is making strides in reading out to youth with disabilities, in high schools and other places, focusing on self-awareness and goal setting. The network has hosted 9 events in rural areas.

The SPIL states that the SILC will assist 2 youth to attend APRIL conference. Ashley asked if there are any youths from CILs who are interested and there were no comments.

Goal 3: Independent Living services provided by the CILs is improved.

The 2019 SPIL allocates \$486,000 Part B & C CILS.

The SPIL requires the SILC to coordinate a mental health services training and a DOT training for CILS
Goal 4: People with disabilities live in the community of their choice.

17 transitions have been achieved

52 people have been referred to the Key Targeted program.

Julia Sain, ED of Disability Rights & Resources, added information about Goal 4. While 52 people have been referred for the Key program, that does not mean they are getting INTO housing. As a result of the DOJ lawsuit, people without mental illness who were inappropriately living in adult care homes do not have a chance to be accepted into key units. Those who are the target of the lawsuit settlement get first priority. In Charlotte, the affordable housing situation has reached a critical point. Physicians and Social Workers are conspiring to find ways to keep folks in skilled nursing because there is nowhere else for them to go.

Goal 5: The NCSILC office operates efficiently and effectively

The SILC office coordinates quarterly SILC meetings and covers expenses of attendance; distributes information about SILC to CILS and BLOGS; coordinates a bi-annual IL summit. With an Executive Director in the office, this report will be much more robust moving forward.

Goal 6: DVRIL and DSB provide IL services

DSB – in the past quarter they have provided 17 technology trainings; 4 mini-center trainings specific to ILS; they are planning to train 100 Android users; 44 outreach events (5 in collaboration with VA)

DVR – 500 home modifications; 200 PC services; 100 physical restorations

Ex-Officio Reports

DVR – Pamela Lloyd-Ogoke

The last transition under Money Follows the Person (MFP) will be December, 2018. The last funding for MFP will be December, 2019. There may be additional federal funding in the budget next year. It is possible to continue the demonstration project. In the next week they will be hearing an in depth analysis report from the company DMA hired.

The new Senior Director of DVR, DSB and DHHS is Tara Myers.

CAP Medicaid is going through a renewal of its waiver and is determining what direction to take for the next 5 years. She is serving on the committee.

DSDHH – Tom Austin

Jan Withers has been working with regional managers who are working with CIL Directors and plans to meet with the rest of the CIL Directors this month. The goal is to strengthen partnerships for individuals with hearing loss and to ensure CILs and DSDHH understand each other's services.

DRNC – Vicki Smith

DRNC is in litigation in 5 cases – 2 for accessibility.

DRNC v. Frazier is in settlement. It concerns children with complex mental health needs as well as ID and extreme behaviors. In October 2006 the settlement was approved. Considerable progress has been made but LMEs/MCOs must do their part and there is concern how DHHS is holding them accountable. DRNC has reported non-compliance. DOJ is forcing Vaya to comply. Partners has assisted 88 individuals but Vaya has only assisted 2.

DRNC vs. McDowell County DSS. The P&A has authority to access records if there is evidence of abuse or neglect. There is an accusation that abuse has occurred in a large adult care home in McDowell County, which its DSS denies. DRNC asked for records in order to investigate but McDowell DSS refused. DRNC filed suit 7/17/17. There was a response in 8/17 when DRNC requested summary judgement and McDowell DSS did not oppose.

DRNC v. Charlotte Mecklenburg Schools (CMS). There is an allegation that students in the Metro School (a self-contained school for students with ID/behavior issues) have been subjected to restraints. The case has been in court since 2/16/18 and is now before a Magistrate Judge.

DRNC v Carowinds. A family with lower leg amputations were denied purchasing a season ticket. The case is in discovery.

DRNC is working on an ADA Title I case where an individual was not hired because she doesn't drive. The case is settled and the employer must revise job description.

The Samantha R case was filed 5/24/17 against NC and DHHS on behalf of 5 families. This was not filed under ADA but under the state law that mirrors Olmstead. The state has filed a motion to dismiss but action continues. In 1/18 the court dismissed one portion of the complaint.

Rebecca v. Cohen. This case is specific to LME/MCOs and the innovations waiver due to violations of the Vosh case.

To expound upon Julia Sain's comments earlier about Key Units, the DOJ settlement was in 2014. 3,000 total, unduplicated individuals with mental illness were to be moved from institutions to housing. The state did not comply until 1/17. DOJ asked the court to clarify language defining housing and work. Now DRNC

DRNC continue to monitor various facilities, especially PRTFs in Charlotte.

A report on sheltered employment will be released that should be of interest to everyone.

NCCDD – Chris Egan

NCCDD encourages everyone to make comments on their website regarding needs for systems change. They are also having community listening sessions. NCCDD and NC Empowerment Network are working together and strengthening self-advocacy.

Everyone is concerned about the federal budget.

Old Business

Motion: Redistribute the \$20,000 earmarked for YLF to the CILs as per the SPIL.

Made by Marion Quirici. Seconded by Pat McGinnis. Carried unanimously.

SILC members expressed desire to find out why there is no qualified applicant for the YLF because this has happened two years in a row.

Motion: Adjourn the meeting

Made by Barry Washington. Seconded by Sheila Winborne. Carried unanimously

Meeting adjourned at 11:42.

Minutes prepared by: Cindy W. Arrington
Executive Director
N.C. State Independent Living Council