

**Draft Minutes**

Name of Organization: Nevada Statewide Independent Living Council (NV SILC) Legislative Subcommittee

Date and Time of Meeting: November 5, 2020

 10:00 a.m.

This meeting will be held via video-conference only:

In accordance with Governor Sisolak’s

Declaration of Emergency Directive

006; Subsection 1; The requirement

contained in NRS 241.023 (1) (b) that

there be a physical location designated

for meetings of public bodies where

members of the public are permitted to

attend and participate is suspended.

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

**To Join the Zoom Meeting**

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

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Password: NVSILC (case sensitive)

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

1. Welcome, Roll Call and Introductions

Steven Cohen, Subcommittee Chair

Members Present: Patricia Unruh, Regina Daniel, Renee Portnell, Steven Cohen,

Members Excused Absent: Lisa Bonie

Members Absent: Kate Osti, Havander Davis,

Guests: Aria Overli, Tracy Brown May, Deanna Gay, Erik Jimenez,

CART Provider: Becky Van Auken

Staff: Dawn Lyons & Wendy Thornley

1. 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 name. 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).

Dawn Lyons: The SILC had a transition workgroup yesterday, and discussed a board meeting and collaborating with the Commission on Aging (COA), because it was found out that they are also discussing this issue with transition and personal care attendants with the Medicaid rates being cut. People are losing their attendants, and some are being institutionalized. We would like to pursue a couple different avenues. One is the workgroup will be working to find alternatives and incentives for people to become PCAs, cover Medicaid services and possibly provide education for nursing institutions. Help them see how they can work better together to include credits towards degrees. Educating the legislators is also important.

She would like to get that on the next agenda.

1. Approval of Meeting Minutes from 9/25/2020 and 8/27/2020 **(For Possible Action).**

Steven Cohen, Subcommittee Chair

The August draft minutes were approved with two minor changes. The September draft minutes were approved with no changes. Regina Daniel motioned to approve both sets of draft minutes. Patricia Unruh seconded. Motion carried.

1. Nominations and Election of the Legislative Subcommittee Co-Chair **(For Possible Action)**.

 Steven Cohen, Subcommittee Chair

Due to the limited number of members, it was agreed to hold off on electing a Legislative Subcommittee Co-Chair.

1. NV SILC and Other Council/Commission Reports and Make Possible Recommendations **(For Possible Action)**.
2. Digital Voting Collaborative Update – Dawn Lyons, Executive Director, NV SILC

Dawn Lyons: Update on NV SILC’s efforts with other councils and Aging and Disability Services regarding election and voting initiatives.
NV SILC were working with the DD Council, Deaf commission and Aging and Disability Services mostly, to create an accessible video not only for disability rights during elections, but also for step-by-step instructions for NDE on the Secretary of State's website. The state opened up voting for people with disabilities this year, so it's easier for them to access that service of digital voting.
The DD Council had funding for it and the resources already set up because they were creating videos. Khianti Thomas, the Executive Director of the Deaf Commission worked with the DD Council specifically and Jennifer Richards is the Elder Rights Attorney for Aging and Disability Services, and so she was part of that discussion as well.
They produced what was needed in the video, what kind of accessibility was needed to have there, they wanted to have a Certified Deaf Interpreter so that was arranged as well as transcription services. They used a consumer to present the information in the video.
They were able to get it out a week ahead of the election for the disability rights video and the day of the election in the morning, for the NVE instructions.
You can find that video link on the SILC website, on the DD Council's website and on the Secretary of State's website.
It's a link to a YouTube video.

1. Accessible Transportation Update – Dawn Lyons, Executive Director, NV SILC

Dawn Lyons: The regional transportation authorities were asked to come to the table and talk about providing voting information this year.
They typically do every year, offer free or discounted para transit rides on Election Day. In the North it was free and in the South it was discounted rates.
Uber and Lyft had discounted rates for Election Day as well.

1. NV SILC’s Personal Care Attendant (PCA) Initiative Workgroup – Dawn Lyons, Executive Director, NV SILC

Dawn Lyons: She would like to get some kind of initiative to collaborate with other councils and commissions, and Aging and Disability Services and whoever they need to push forward legislation that changes Medicaid rates, and improves that for personal care attendants. She invited anybody who wants to be a part of the SILC Transition Workgroup and work on education for and curriculum for other incentives in the community, to join the next meeting.

1. Proposal to Make Changes to Nevada Revised Statute (NRS) 220.125 and Article 13 Section 1 language from the Nevada Constitution.

Steven Cohen, Subcommittee Chair

Dawn Lyons: The proposed amendment that they were going to suggest on Section 1, says “Institutions for persons with profound disabilities and such other benevolent institutions as a public may be required whether it's not a viable option to provide services that would keep said person or persons in their community...”. The changes will be to use language more appropriate to describe persons with disabilities and also contemplate whether mandating institutional funding for persons with disabilities is appropriate in light of U.S. Supreme Court decision Olmstead. She believes that Rique Robb will be meeting with Senator Spearman and Dawn will reach out to Rique regarding making NVEASE a permanent option for people with Disabilities. Dawn will give an update at the next meeting.

1. Discussion Regarding Opportunity Village’s (OV) Jobs and Day Training (JDT) Program and Make Possible Recommendations Regarding the Name of Certain Associations Within the Organization **(For Possible Action)**.

Tracy Brown-May, Director of Advocacy, Board and Government Relations, OV

Tracy Brown-May: She explained the name, “Opportunity Village”. Formal registration has been filed with the Secretary of State's office and all of their governing documents have refer to the name as simply Opportunity Village.
At one time it was a much longer name. Opportunity Village ARC was an abbreviated version that was used for a number of years during transition, but it's no longer on any of their business documents. It's not something that they use as an organization.
And that was in an effort to follow up on all the movements to eliminate the R word many years ago from everything they do.
They are not a national affiliate of the ARC of the United States and have not been since about 2006.
Although they absolutely support what they do in support of people with intellectual and developmental disabilities and champion many of their efforts.
They do not formally utilize any abbreviation or any indication of ARC in their documents currently.
That NRS actually is specific to residential services, which is just above work center or congregate programming, day programming.
They are happy to bring that forward to the state legislature. A number of years ago, they worked on Senate Bill 149 with Senator Cevaski.
It took effect October 1, 2011. It was introduced February 16, 2011, and approved by the Governor on June 16, 2011, and is currently in chapter 426 of Nevada Revised Statute. It moved to eliminate the R word from all NRSs.
The legislative body or the Legislative Council Bureau was directed to identity where that verbiage stood as they looked at NRS.
Last time there was a change made was in 2017.
She guessed that, because it doesn't directly refer to a person with a disability, the term was not removed.
It does direct the title, Association for Citizens, which does not exist any longer, so she does not see any reason why they could not move to eliminate that.
Even the ARC of the U.S. has eliminated that and they are simply about by ARC.
They continue to champion the ARC's efforts even though they are not a national affiliate.

Steven Cohen: The one place where the ARC reference still is used is in the 990 form.

Tracy Brown-May: That's the 2018 governing documents that are reported in 2019.
They were formally at that point still Opportunity Village ARC so that was done within the last year.
Because of the IRS documents require them to go back to the filed name that's what they had to do in the 990 at that point.

Tracy Brown-May will write a letter of support or get a letter of support from Opportunity Village and send it to Dawn, who will then forward that with the support letter from the SILC Legislative Subcommittee, in order to change the verbiage in the article of the State Constitution. Dawn will connect with Kari Horn about collaborating on this. Tracy will connect with the SNAP group of Nevada Association of Providers regarding collaboration as well.

Patricia Unruh motioned for the SILC Legislative Subcommittee to participate in a collaborative letter. Regina Daniel seconded. Motion carried.

Tracy Brown-May: Clarified that Opportunity Village's legal name filed within the Secretary of State and their federal filing documentation currently reflect the name of Opportunity Village for their operating organization and Opportunity Village foundation or their fund-raising arm.
Those are the two legal entities that they are doing business under currently.
If anyone comes across a name that is utilizing previous terminology, please bring that to their attention.

1. Update from the Bureau of Vocational Rehabilitation (BVR) Regarding the Legislative Special Session’s Budget Cuts and Effect on Programs.

Shelley Hendren, Administrator, BVR

This item was tabled.

1. Discussion and Make Possible Recommendations Regarding the State’s 700 Hour Employment Program under Nevada Revised Statute (NRS) 284.327 and Nevada Administrative Code (NAC) 284.364, Approved at the 2017 Legislative Session **(For Possible Action)**.

Steven Cohen, Subcommittee Chair

Dawn Lyons: Stated concerns with changes because there is no Vocational Rehabilitation representative at the meeting to speak to this. She suggested talking to Kimberly Palma-Ortega, the Chair over that DD Council subcommittee so as to not duplicate efforts. The information could be brought back to this subcommittee. The next meeting of the DD Subcommittee is on November 19, 2020. Once she has the meeting information, Dawn will forward it to the group.

Regina Daniel: Would like to be part of the discussion with the DD Council subcommittee.

1. Discussion Regarding Bill Draft Request (BDR) 397: Revises Provisions Relating to the Nevada ABLE Savings Program.

Erik Jimenez, Senior Deputy Treasurer, Office of the State Treasurer

This item was tabled.

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

Steven Cohen, Subcommittee Chair

Dawn motioned for the next SILC Legislative Subcommittee meeting to be on January 7, 2021 from 10:00am to 12:00pm. Patricia Unruh seconded. Motion carried.

The next SILC Legislative Subcommittee meeting to be on January 7, 2021 from 10:00am to 12:00pm

**Agenda Items:**

* All standing agenda items
* The two tabled items (VR report and BDR 397, the ABLE savings program)
* Update on Rique’s meeting with Senator Spearman
* The NRS that Opportunity Village and possible the DD Council might be working with us on
* Medicaid representative invited to next meeting
* The adjusted list of bills for the Legislature
1. 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 name. Public comment may be limited to 3 minutes, per person at the discretion of the chair).

Tracy Brown-May: Thanked the group for inviting Opportunity Village to be a participant in the meeting. She thinks that there are a number of organizations that are working together but independently and that decreasing silos to brings us all together to work collaboratively wherever possible is obviously our recommendation and something that we hope to work with you on.
She mentioned a reference relative to section 14c of the Fair Labor Standards Act made sometime during this summer.
Opportunity Village has a longstanding reputation of being a certificate holder in Southern Nevada and working to provide support services for people who have significant disabilities or barriers to competitive integrated employment.
However, that does not mean they champion the continuation of a 14c wage certificate if there is a resolution that better engages people with developmental disabilities in employment.
Opportunity Village would encourage others to look for ways to help them engage and grow competitive integrated employment opportunities across their community by collaborating with as many provider organizations and governmental agencies as possible.
When we no longer need to fall back on a 14c wage certificate, because we are appropriately providing supports, services, and employment opportunities for all people with disabilities in our community, then Opportunity Village will join along to champion the elimination of that provision of labor law.
Until such time as people have their needs meet we must continue to safeguard every option available.
To hear stories about people on Medicaid waivers not having access to appropriate community supports is simply inflammatory and it is appalling.
At this time in our community we should be championing everyone to have access to independent supports and services and as a longstanding community provider, we want to work with you to make sure we grow those options.
We want to see additional PCAs, we want to see additional direct support professionals.
And appropriate supports that make sure those people are earning living wages.
When they're supporting people.
So they can support people with dignity.
So we would ask that you as a community come together and invite us whenever you feel like we can bring great supports together.

Dawn Lyons: Thanked Tracy for her input. Dawn is also going to speak with Senator Spearman about the tax policies need to align with our values and reiterated the desire to collaborate with Opportunity Village.

Patricia Unruh: She thanked Tracy for being part of the discussion as well as Cimi Neal and others.

1. Adjournment

 Steven Cohen, Subcommittee Chair

 Meeting adjourned at 11:14 am.

**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: <http://www.adsd.nv.gov> and <https://notice.nv.gov>

**In accordance with Nevada Governor Sisolak’s Declaration of Emergency Directive 006 there will not be a physical location for the** **Nevada Statewide Independent Living Council (NV SILC) Legislative Subcommittee.**

 As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 3: The requirements contained in NRS 241.020 (4) (a) that public notice agendas be posted at physical locations within the State of Nevada are suspended.

 As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 4: Public bodies must still comply with requirements in NRS 241.020 (4)(b) and NRS 241.020 (4)(c) that public notice agendas be posted to Nevada’s notice website and the public body’s website, if it maintains one along with providing a copy to any person who has requested one via U.S. mail or electronic mail.

 As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 5: The requirement contained in NRS 241.020 (3)(c) that physical locations be available for the public to receive supporting material for public meetings is suspended.

 As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 6: If a public body holds a meeting and does not provide a physical location where supporting material is available to the public, the public body must provide on its public notice agenda the name and contact information for the person designated by the public body from whom a member of the public may request supporting material electronically and must post supporting material to the public body’s website, if it maintains one.