

**ALASKA STATE LEGISLATURE
JOINT MEETING
SENATE HEALTH, EDUCATION AND SOCIAL SERVICES STANDING COMMITTEE
HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES STANDING COMMITTEE**

January 19, 2005

1:32 p.m.

SENATE MEMBERS PRESENT

Senator Fred Dyson, Chair
Senator Gary Wilken, Vice Chair
Senator Lyda Green

SENATE MEMBERS ABSENT

Senator Kim Elton
Senator Donny Olson

HOUSE MEMBERS PRESENT

Representative Sharon Cissna
Representative Berta Gardner

HOUSE MEMBERS ABSENT

Representative Peggy Wilson
Representative Tom Anderson
Representative Vic Kohring
Representative Lesil McGuire
Representative Paul Seaton

LEGISLATORS ALSO ATTENDING

Senator Bettye Davis

COMMITTEE CALENDAR

Overview Presentation:
Governor's Council on Disabilities & Special Education

CHAIR FRED DYSON convened the joint meeting of the House/Senate Health, Education and Social Services Standing Committee at 1:32 p.m. Present were Senators Gary Wilken, Lyda Green, Chair Fred Dyson and Representatives Sharon Cissna and Berta Gardner.

**ACTION NARRATIVE
SUMMARY OF INFORMATION**

Overview Presentation:
GOVERNOR'S COUNCIL ON DISABILITIES & SPECIAL EDUCATION

CHAIR DYSON announced that some members were in a meeting with the Governor and would be in shortly. He introduced Beth Edmonds, council chair, and asked her to introduce her members.

[1:34:33 PM](#)

BETH EDMONDS, chair of the Governor's Council on Disabilities and Special Education introduced Carla Shelton, Arthur Walters, Kathy Fitzgerald, and Millie Ryan, council executive director, council members. She also referred to another 20 council members in the audience.

Mission statement: The mission of the council is to create change that improves the lives of Alaskans with disabilities. Several roles: State council on developmental disabilities. Second, they are the special education advisory panel regarding students with disabilities. Also, they are the inter-agency coordinating council on infants and toddlers with disabilities.

In other states there would be three separate councils. That is one reason that the council is large. They are also the Alaska Mental Health Trust Authority Beneficiary Board and they are the governing board of the Special Education Service Agency.

ARTHUR SHELTON, ten-year board member of Special Education Service Agency (SESA), personally thanked the committee for reauthorizing service for SESA. He said he has been on both sides of fence and received SESA services just about the same time he went blind. It has been a great benefit and important service for our state, he concluded.

[1:39:24 PM](#)

KATHY FITZGERALD, council member, spoke about the closure of Harborview in 1997. She spoke of it as a major component of advocacy for the cost-effective quality of life change. They have made strides increasing the rate of employment for people with disabilities. She indicated a long track record of system changes and looks forward to continued work with the committee.

MS. EDMONDS announced they would highlight a few changes that they have made.

MILLIE RYAN, council member, spoke about working on ways to help the state control costs and working on provider reimbursement. They are looking at approaches that other states are enacting and also working on a state of the state report comparing adults working with disabilities with workers in the general population.

CHAIR DYSON asked Ms. Ryan the size of the disabled community.

MS. RYAN advised there are between 11,000 and 12,000 developmentally disabled people or 1.5-1.8 percent of the population. But in the broader definition of disabled, there are perhaps 1 in 7 or 14 percent.

CHAIR DYSON asked Ms. Ryan if they consider fetal alcohol syndrome to be a developmental disability.

MS. RYAN answered there must be functional limitation in three major life areas. Major life areas are: receptive language, communicative language, mobility, independent living, employment, self-care, and learning.

[1:46:39 PM](#)

MS. FITZGERALD spoke of the spectrum of individuals who do not qualify for services and gave a few examples. She asserted the council has things they would like to work on with the Legislature in regard to how to meet financial needs to support people with, for example, autism and severe brain trauma.

[1:49:36 PM](#)

CARLA SHELTON, council member, announced they are working on a new waiver system called New Freedom, which increases consumer choices.

[1:50:58 PM](#)

MS. RYAN added they are also looking at the developmentally disabled wait list and it needs better management.

CHAIR DYSON asked for someone to define waiver.

MS. RYAN answered a Medicaid waiver provides payment for people qualified to live in an institution to be treated in the community instead of in an institution. It usually costs less for people to be treated in community. She said Alaska has four waivers: Older Alaskans, Adults with Physical Disabilities, Children with Complex Medical Conditions, and MRDD (Mentally Retarded Developmental Disability).

MS. FITZGERALD added of the current waivers, 57 percent are federally matched. Many of their other services are 100 percent state dollars.

MS. EDMONDS spoke of managing the wait list and letting people understand what they were waiting for and when things are going to happen for them.

[1:55:15 PM](#)

REPRESENTATIVE SHARON CISSNA asked Ms. Ryan if they had any charts that show costs that would have been had if they remained with institutionalization.

MS. RYAN advised she could get that.

SENATOR GARY WILKEN asked for an updated copy of the wait list.

MS. RYAN stated Commissioner Gilbertson was reviewing the list and the committee should have it in a couple weeks.

[1:56:27 PM](#)

MS. EDMONDS asked whether any committee members were interested in working with them on managing the wait list.

MS. SHELTON talked about investing in grant dollars for DD [Developmentally Disabled].

MS. FITZGERALD addressed newborn screening. She asked the committee for a sponsor and explained that screening can give families a chance to prepare emotionally and financially.

MR. SHELTON announced he is the chair of legislative (indisc) committee and that they meet quarterly. He said the Governor would expand dental services to adults with disabilities and he'd like for the committee to support that.

[2:00:23 PM](#)

MS. EDMONDS stated funding is a collaborative effort that also has a cap.

MS. RYAN said they are also working on the initiative to bring kids home and she'd like them to support the initiative the Governor is bringing forward. She disclosed that over 400 kids have been sent out of state for services and she wants to create a system to prevent that.

[2:03:21 PM](#)

MS. RYAN added they have been working on increasing the employment rate of Alaskans with severe disability. She hopes through statute or resolution, they could solidify the gains that have been made so they can have a lasting legacy on how to make employment work for people with disabilities.

CHAIR DYSON asked, "Is there a barrier in present statute for these folks getting work?"

MS. RYAN said there are no barriers but there is also nothing proactive.

CHAIR DYSON said if they passed a resolution, it might not accomplish anything in fact. He asked Ms. Ryan what she wanted them to do.

MS. RYAN answered she would like the state to develop a plan regarding how to recruit, accommodate and promote people with disabilities. She referred to California legislation that is similar to what they are requesting.

CHAIR DYSON asked her for a copy of the California legislation.

[2:07:20 PM](#)

SENATOR LYDA GREEN asked whether it is appropriate to identify and categorize people who are employed.

MS. RYAN answered it is to ensure there is a diverse workforce.

SENATOR GREEN suggested the Department of Labor has statisticians who already do record keeping so might be a starting point for the information they are looking for.

CHAIR DYSON commented he saw information that identified disabled employees as being far better employees than average.

MS. EDMONDS affirmed that it is very important for people to have a good job with benefits.

MS. RYAN added the rate of pay the people receive is a barrier. She referred to a New York system that the Legislature invested in for wage increases.

[2:13:58 PM](#)

CHAIR DYSON asked who sets the wage scales.

MS. RYAN said different agencies including Medicaid reimbursement.

CHAIR DYSON asked Ms. Ryan whether she was asking for the state government to control wages.

MS. RYAN said she is asking for something similar to New York.

CHAIR DYSON asked her if the problem is that there isn't enough money, and so the agencies they are asking for funding from can't give them more money.

MS. RYAN acknowledged that is part of it, but they are working with the agencies.

MS. FITZGERALD added it is a constant struggle to find individuals to work with children and she has lost good staff due to low wages.

CHAIR DYSON asked for a wrap up.

MS. FITZGERALD requested amendment of the domestic violence statute to cover care providers who do not live in home. She gave an example of domestic violence resulting from in-home care and stated it is not prosecutable.

[2:18:38 PM](#)

CHAIR DYSON advised the group of some current bills dealing with assault and asked for specific information so he could amend another bill and take care of that.

MS. EDMONDS asked the committee to approve a long-range fiscal plan.

CHAIR DYSON asked Ms. Edmonds why they were including text targeted at a designated stream from Permanent Fund.

MS. RYAN advised him they were just looking at overall state funds.

MS. FITZGERALD added it is so critical now because of the surplus due to oil prices.

CHAIR DYSON clarified they were asking for a long-range fiscal plan that would provide a stable revenue source.

Chair Dyson heard no other questions. There being no further business to come before the committee, he adjourned the meeting at [2:23:14 PM](#).

NOTE: The meeting was recorded and log notes were taken. A copy of the recording and log notes may be obtained by contacting the Senate Records Office at State Capitol, Room 3, Juneau, Alaska 99801 (mailing address), (907) 465-2870, and after adjournment of the second session of the Twenty-Fourth Alaska State Legislature this information may be obtained by contacting the Legislative Reference Library at (907) 465-3808.