

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

January 19, 2005
1:32 p.m.

SENATE MEMBERS PRESENT

Fred Dyson, Chair
Gary Wilken, Vice Chair
Lyda Green

SENATE MEMBERS ABSENT

Kim Elton
Donny Olson

HOUSE MEMBERS PRESENT

Sharon Cissna
Berta Gardner

HOUSE MEMBERS ABSENT

Peggy Wilson
Tom Anderson
Vic Kohring
Lesil McGuire
Paul Seaton

LEGISLATORS ALSO ATTENDING

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.

SUMMARY OF INFORMATION

CHAIR DYSON announced that some members were in a meeting with the Governor and would be in shortly. He stated that this

testimony is recorded via audio and visual. 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, Millie Ryan, Council Executive Director, Kathy Fitzgerald, 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 special education advisory panel regarding students with disabilities. Also, we are the inter-agency coordinating council on infants and toddlers with disabilities. In other states would be three separate councils. That is one of the reasons that our council is large. In addition we are the Alaska Mental Health Trust Authority beneficiary board. She said, we are the governing board of the Special Education Service Agency.

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

[1:39:24 PM](#)

KATHY FITZGERALD, council member, spoke about the closure of Harborview in 1997. She speaks 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 for continued work with the committee.

MS. EDMONDS announced they are going to highlight a few of 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. She says they are looking at approaches that other states are enacting. They are also working on a state of the state report comparing adults working with disabilities with workers of the general population.

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

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

CHAIR DYSON - Asked Ms. Ryan if they consider fetal alcohol syndrome a developmental disability?

MS. RYAN answered that they have to have functional limitations in three major life areas. Major life areas are: Receptive language, communicative language, mobility, independent living, employment, self-care, learning.

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MS. FITZGERALD spoke of the spectrum of individuals who do not qualify for services and gave a few examples. She asserts the council has things they would like to work on with the legislature in regards 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 that they are working on a new waiver system called New Freedom, which increases consumer choices.

[1:50:58 PM](#)

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

CHAIR DYSON asked for someone to define what a waiver is.

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

MS. FITZGERALD added that of the current waivers 57% are federally matched. Many of our other services are 100% state dollars.

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

[1:55:15 PM](#)

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

MS. RYAN advised that she can get that.

SENATOR WILKINS asked for an updated copy of the wait list.

MS. RYAN stated that it is with Commissioner Gilbertson for review and the committee should have it in a couple weeks.

[1:56:27 PM](#)

MS. EDMONDS asked if there are any committee members who are 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. She says screening can give the families a chance to prepare emotionally and financially.

MR. SHELTON announced that he is the chair of legislative (ph) committee. He announced that they meet quarterly and that the governor will be expanding dental services to adults with disabilities. He asked for the committee support for that.

[2:00:23 PM](#)

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

MS. RYAN said they are also working on the initiative to bring the kids home. She asked them to support this initiative that the Governor is bringing forward. She disclosed that over 400

kids have been sent out of state for services and wants to create a system to prevent that.

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MS. RYAN added that another thing they have been working on is to increase the employment rate of Alaskans with severe disability. She said that what would be good is if, 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 that there are no barriers but there is also nothing proactive to say.

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

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

CHAIR DYSON asked her for a copy of what California has done.

[2:07:20 PM](#)

SENATOR GREEN asked Chairman Dyson if it is appropriate to identify and categorize people who are employed?

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

SENATOR GREEN suggested that the dept of labor has statisticians who already do record keeping. She suggested this may have a starting point for the information they are looking for.

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

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

MS. RYAN added that they need to increase retention and quality of direct service workforce. She says the rate of pay these people receive is a barrier. She refers 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 if she was asking for the state government to control the wages?

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

CHAIR DYSON asked her isn't the problem 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 said they are working with the agencies.

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

CHAIR DYSON asked for a wrap up.

MS. FITZGERALD requested to amend 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 states 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 can amend to 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 are including text targeted at a designated stream from permanent fund.

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

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

CHAIR DYSON clarified that they are asking for a long-range fiscal plan that is a stable revenue source.

Chair Dyson heard no other questions.

ADJOURNMENT

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 handwritten 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.