

LCPD Meeting Minutes
January 29, 2024
Recorder: Janet Wade

Present:

Cheryl Smith, Andy Curry, Jordan Scarr (Utah DHHS), Amanda Longwell, Stacy Stanford, Stephanie Roach, Greg Green, Ashley Donham, DHHS, OSUMH, Andrew Riggle, DLC, Nate Cripes, DLC, Mary Eargle, Janis Ferre, Anita Bennett, Marianne Neff, Autumn, Matthew Huskinson, JoLynne Lyon, Mary Uri, Kari Teague, Christi Carpenter, Gina Pola Money, Sylvia Lam, Marian Furst, Utah RDAC, Janet Wade, Jenny Koftonow, Anneli Smith, Connie Schoon.

Approval of Minutes – Motion – Autumn – Seconded Gina Pola Money

Welcome and Introductions – Gina Pola Money

Bill Tracker

[LCPD Bill Tracker 2024 - Google Sheets](#)

Anita Bennett went through the Bill Tracker. The Bill Tracker includes the position voted on by the LCPD members.

Several Bills required clarification. See below:

[HB0197 \(utah.gov\)](#) M. Judkins. Requirements for Supported Decision-Making Agreements

Anneli stated that she is still concerned about the presumption language.

Nate: Asked about the concern over presumption language.

Anneli: Line 312 – 314. If someone doesn't have guardianship, then the law would presume that the person has the ability to make decisions.

Kari: Does someone have to have guardianship to qualify? The self-advocates didn't have someone holding guardianship and were encouraged by the opportunity to use Supported Decision-Making.

Nate: It is an option to use Supported Decision-Making for people to utilize. There are ways it can coordinate with a guardian. If you have a guardian, you are not obligated to use Supported Decision-Making.

[HB0388 \(utah.gov\)](#) – Rep Action and Sen Kennedy. Division of Services for People with Disabilities Amendments

Appropriately fund an equivalent service.

Anita – the core of this bill is that it supports person centered and an array of services to meet the needs. DSPD must appropriately fund an equivalent service. If services are changed there must be a reasonable equivalence.

Support Coordinator concern: Support Coordinators are the ones already implementing and providing and equivalent service if a service is discontinued. It is built into the system to ask for replacement

services. If this bill would earmark the priority, then that is a good thing.

The question is what is an equivalent service? The broadness of an equivalent support is difficult.

The Support Coordinators Association does support the use of equivalent services. This Bill would be a benefit, but it could cause financial challenges to DSPD. The waiver stipulates that we must use all available services.

Greg: In the case of someone referred out to an outside service – if that service lost its own funding would there be a danger of the person losing waiver eligibility. No. DSPD logic is if you don't use your budget then you will lose it as DSPD thinks that you don't need the funding. DSPD funds the need as long as the need exists.

Greg: It would be nice to introduce some language to guarantee services after the transfer. That would give a safety net for people changing services.

The other area is an inequity of service availability when people move from State to State.

Greg suggests following the bill as there are some conversations to be had moving forward.

[HB0393 \(utah.gov\)](#) Jennifer Dailey Provost. Services for People with Disabilities

Nate: Rep. Dailey Provost is trying to find a funding source to fund the wait list. Leadership has told the representative this is an avenue to explore.

Andrew: The funding source would partially be from the income tax that was designated for children and people with disabilities. If that money is available, then this would be an appropriate way to use it.

Janet. It does seem that Leadership is supporting funding the wait list this year.

Senate Bills

[SB0152 \(utah.gov\)](#) Senator Bramble Cost Sharing Amendments

Stacy: This is the co-pay accumulator assessment program. If a person is using a discount program for their prescriptions that should count as a co-pay. This is the 4th year of running the bill.

[SB0137 \(utah.gov\)](#). Senator Filmore. Teacher Empowerment. This bill would require school districts and charters to create a policy about the removal of students from the classroom and potential referral to services and supports. The key is that it would give teachers the same authority that principals have if a student is disruptive.

Andrew: We are opposed because we feel like administrators have a better understanding of the legal requirements that come with decisions to remove kids from classrooms. It also gives School Districts the ability to ignore Federal Guidance. It would put teachers in schools in a difficult position to know what to follow when. Whether to follow State or Federal Law.

Nate. to the question - is it a legal requirement? The Bill said any non-binding guidance. It should be clearer, but Utah will use their interpretation on guidance.

Jan commented that she appreciated the clarification from Andrew and Nate on the Bills.

Janet reported over 150 people at the reception. Many legislators came down and spoke to their constituents.

Gina reminded everyone that the LCPD is a grass roots volunteer coalition. As we work to continue advocacy work, we will be needing donations to support the outreach work. The donation link on the website will be live soon. Small individual donations are welcome.

Respectfully Submitted
Janet Wade
Secretary LCPD