

# Meeting Minutes: Executive Committee

Date: 11/8/2018

Minutes prepared by: Shannon Hartwig

Location: 121 East 7th Place, St. Paul, MN 55101

## Attendance

* Jim Thalhuber – In Person
* Dean Ascheman – Via Phone
* Nate Aalgaard – Via Phone
* Kathy Peterson –Via Phone at 2:19 pm
* Amber Madoll – Via Phone at 2:37 pm
* Nancy Fitzsimons – Via Phone
* Joan Willshire, MCD Executive Director
* Shannon Hartwig, MCD Staff

## Call to Order

**Council Chair Jim Thalhuber called the meeting to order at 2:03 pm.**

## Approval of Agenda and Minutes

**Action:** Nancy Fitzsimons motioned for approval of the agenda; it was seconded by Dean Ascheman. It was approved by unanimous voice vote. Nancy Fitzsimons motioned for approval of the minutes of the October 18, 2018 meeting. Dean Ascheman seconded the motion. It was approved by unanimous voice vote.

## Legislative Update

Joan Willshire provided an oral update on the legislative public policy agenda, document CM-2019 Public Policy Agenda Rough.doc Full document listed below.

(Begin Document CM-2019 Public Policy Agenda Rough.doc)

## 2019 Legislative Priorities [DRAFT]

The Minnesota Council on Disability supports policies that promote Access, Equity and Independence so Minnesotans with disabilities can live, work and play in their communities.

### The Minnesota Council on Disability Operational Budget (Tier 1)

The Minnesota Council on Disability (MCD) exists to ensure programmatic, physical, and digital access to government for all Minnesota taxpayers and to promote Americans with Disabilities Act (ADA) accessibility in the private sector to fuel a stronger Minnesota economy. The agency is a free policy, training, and technical resource for people with disabilities and their families, the private sector, and federal, state, and local governments to strengthen communities. The Council seeks a xx% increase in our biannual appropriation to carry out our mission.

### Accessibility

#### #MNParksForAll (Tier 1 or 2)

None of our 75 state parks and recreation areas are inclusive for people with disabilities. In 2018, $500,000 was secured in bonding funds for the design and construction of improvements to bring facilities within state parks and recreation areas to the Americans with Disabilities Act standards. Council staff will provide counsel to DNR during the planning and designing of inclusive parks. As 2019 is not a bonding year, the Council will partner with DNR to educate policy makers on the need for accessible state parks.

#### Accessibility of Public Buildings (Tier 1)

The State of Minnesota’s Building Code accessibility guidelines state that State-owned facilities built or remodeled after July 1, 1963 are required to meet the accessibility requirements in place at the time of construction or remodeling. If they choose to remodel, they must come into full accessibility compliance, but they are not required to remodel solely for the purpose of becoming accessible. This does not conform to federal requirements under the Americans with Disabilities Act, which state that all public accommodations must be accessible. While the change would not add any obligations that the State is not already subject to under the ADA, MCD proposes amending the State Building Code language to preclude any confusion about what the State’s obligations are for accessibility of its public buildings and programs.

#### Accessibility of Assisted Living Facilities (Tier 2)

Minnesota is one of the few states that does not license Assisted Living Facilities. These facilities are regulated under a variety of building code classifications based on number and type of residents. This often results in limited accessibility options for assisted living residents. The Council is engaging with the Department of Health, Department of Labor and Industry and other stakeholders to promote accessible standards within new assisted living licensure and/or an expanded and unified Consumer Bill of Rights for residents in hospitals, long term care and assisted living facilities.

#### Voters with Disabilities (Tier 2)

MCD will partner with the MN Secretary of State’s Office to pass legislation that promotes access for a voter with a disability to cast an absentee ballot.

#### PCA Driving Reimbursement (Tier 3)

Under current statute, PCA’s are not able to be reimbursed for driving their clients with disabilities for activities defined in the service plan. MCD supports the expansion of reimbursable activities for PCAs in order to ensure the implementation of a person with disability’s service plan.

#### Data Accessibility Standards (Tier 3)

MN Senate has a working group to examine and develop best practices for universal accessibility of legislative documents produced for the public. The Council supports this effort and will provide assistance as needed.

### Equity and Independence

#### Connected and Autonomous Vehicles (CAV) Policy (Tier 2)

Autonomous Vehicles have tremendous potential to promote the independence and equity of people with disabilities to live, work, and play in the community of their choice. MCD Executive Director Joan Wilshire serves as an ex-officiomember of the Governor’s Advisory Council on Connected and Automated Vehicles. This Advisory Council will submit key recommendations to the Governor’s Office by Dec. 1, 2018. MCD will work to establish CAV policy at a Level IV with high autonomy, no steering wheel, and no licensed drivers in the vehicle.

#### Transportation Network Companies (TNC) Legislation (Tier 2)

Transportation Network Companies (TNC) hold broad challenges and benefits for people with disabilities to maintain choice and independence in their lives. The Council is working with the Minnesota League of Cities and other stakeholders to draft legislation to monitor and regulate the statewide operations of TNC companies, such as Uber and Lyft. The Council will ensure that TNC policies will maintain and expand accessible transportation options for people with disabilities.

#### Education Discrimination (Tier 3)

According to MN DOE student discipline data, significant disparities in suspensions and expulsions exist for students with disabilities and other minority populations. Students with disabilities were twice more likely to be suspended or expelled than their peers without a disability. Under the Minnesota Human Rights Act, these disparate outcomes and this differential treatment has the potential to deny educational access and negatively impact student achievement. MCD will partner with MDHR to promote non-exclusionary disciplinary practices to help support students with disabilities in their classrooms and reduce instances of suspension or expulsion.

#### Physical Therapists Disability Parking Authorization (Tier 2)

The Council supports expanding authorization of disability parking permits to include physical therapists in order to increase access to permits for people with disabilities, especially in rural Minnesota.

#### Adaptive Fitness Grants (Tier 3)

The Council on Disability will support Courage Kenny legislation to create a grant fund to expand adaptive fitness options in the state of Minnesota.

### Legislative Research and Projects

#### #MNParksForAll

The Council on Disability is working with the Department of Natural Resources to design a fully inclusive 72 hour recreational experience at William O’Brien State Park, and possibly Ft. Snelling State Park, utilizing bonding funds secured in the 2018 legislative session. Future bond funds will be sought for construction. These parks will serve as models for future upgrades to additional parks. Processes for predesign work has been established to create greater efficiencies for design work and construction at other state parks.

#### Roundabout Accessibility for Pedestrians

Currently, roundabout standards and design vary depending on governance by city, county and state. The Council is partnering with MNDOT in order to evaluate safety and access of state-funded roundabouts for pedestrians with disabilities, specifically blind and low-vision users.

#### Accessibility of Assisted Living Facilities

The Council is engaging with the Department of Health, Department of Labor and Industry and other stakeholders on research to promote accessible standards within new assisted living licensure and/or an expanded Consumer Bill of Rights. Specifically, we want to know if other states that license assisted living facilities require a higher number of fully accessible units beyond what the building code requires. And we are also assessing the potential to promote assisted living accessibility within an expanded and unified Consumer Bill of Rights. Currently, the Health Care Bill of Right in state statute governs residents of hospitals and long-term care facilities while the Home Care Bill of Rights governs residents of group homes and assisted living facilities.

#### Sign Language Interpreters

The Council will engage with the Minnesota Commission of the Deaf, Deafblind, & Hard of Hearing Commission to identify and support policy solutions to increasing communication access for Deaf and Hard of Hearing Minnesotans across the state.

(End Document CM-2019 Public Policy Agenda Rough.doc)

**NOTE: Call dropped at 2:55 pm**

Members rejoined at 2:56 pm.

**Action:** a motion was made by Dean Ascheman and seconded by Nate Aalgaard to present the item to the full council at the next meeting that is scheduled for December 6, 2018. It was approved by unanimous voice vote.

## Committee updates

Discussion amongst the group about changing the name of the Employment group to reflect the focus of the group, in years past the committees have been combined and the names shortened. The item will be brought up to the committee chair of each group. The employment committee is slowly making progress at meeting regularly, the next meeting will be held in January. The access committee has been meeting regularly, and is expected to meet in December.

## Meeting Planning

The full council meeting agenda will be updated with the information collected, and the will be mailed out. Shannon will invite the 4 members on the executive committee ballot to provide a regional report form their area at the next meeting.

## Communications

Jim Thalhuber discussed the Executive Director Reports that have gone out via email, and recommends that they continue on a regular basis. It is a good tool to keep members informed.

## Executive Director Report

Joan Willshire gave a brief review of the Legislative forum that was held on December 4, 2018. It was well attended.

## Future Meeting Planning

The next Full council Meeting will be December 6th, 2018.

## Adjournment

Meeting adjourned at 3:50 pm

Respectfully submitted by:

Shannon Hartwig