

Commission on the Status of Persons with Disabilities Disability Employment Workforce Subcommittee Meeting Minutes

Date of meeting: Monday, February 27, 2023

Start time: 12:00pm

Location: Virtual Meeting (Zoom)

Members Participating Remotely	
1	Kathy Petkauskos (Chair) – Director, Work Without Limits at UMass Chan Medical School
2	Gyasi Burks-Abbott – Self Advocate Faculty, LEND Program, Boston Children's Hospital
3	Oz Mondejar – Senior Vice President of Mission and Advocacy, Spaulding Network (MGB)
4	Representative Mathew Muratore – Massachusetts House of Representatives
5	Carl Richardson – ADA Coordinator, Massachusetts State House
6	Chris White – CEO & President, Road to Responsibility, Inc.
Members Not Present	

Action Items		Person Responsible
1	Send thank you to Nicole LeBlanc	Imene, Sophia, Kathy, Gyasi to coordinate
2	Send link to Imene on MA CommonHealth (Medicaid Buy-In program)	Charlie Carr
3	Send link to Imene on Work Without Limits fact sheet on MA CommonHealth	Kathy Petkauskos
4	Post links on MA CommonHealth on Commission website	Imene
5	Ask Chair Garlick – what is our role from a policy/legislation advocacy perspective?	Kathy Petkauskos at full Commission meeting
6	Reach out to Senators Warren and Markey about the federal SSI Savings Penalty Act regarding its status.	Rep. Muratore
7	Send information on the SSI Savings Penalty Elimination Act to Charlie Carr	Imene
8	Confirm Joe Reale, MRC for April meeting	Kathy Petkauskos
9	Confirm Becky Curran Kekula, Disability:IN for May meeting	Oz Mondejar

Welcome, Roll Calls, and Introductions

- Introductions of Commissioners, program director, Chair Garlick's staff, guest speaker Nicole LeBlanc.
- Inspirational quote "The time to do the right thing is always right now." – Dr. Martin Luther King, Jr., provided by Chris White.

Maryland Medicaid Buy-In program, Maryland Employed Individuals with Disabilities Program Presentation:

- Gyasi introduced Nicole:
Nicole LeBlanc is the Person-Centered Advisory and Leadership Group Coordinator for the National Center on Advancing Person-Centered Practices and Systems (NCAPPS). Run by the Human Services Research Institute, NCAPPS is a technical assistance center funded by the Administration for Community Living and the Centers for Medicare and Medicaid Services. She is also the Self-Advocacy Advisor for TASH, an international leader in disability advocacy whose mission is to advance equity, opportunity, and inclusion for people with disabilities, particularly those with high support needs. Nicole served for 8+ years as the Advocacy Director for Green Mountain Self-Advocates and is currently a consultant for Self-Advocates Becoming Empowered and the Autistic Self-Advocacy Network. Her work has been recognized with many awards and honors including the David Joyce Advocate of the Year Award for 2019. Nicole has a passion for public policy and an important message for the disability community: Control your own destiny or someone else will.
- Presentation questions/answers:
 - Gyasi asking how the process started, Nicole responded that it was advocacy effort at the legislative level. MD is an Employment First state, and the 2nd state to eliminate 14(c) certificates (NH was the first).
 - If you apply for the first time, they look into your ABLE and Savings accounts. There is still a limit.
 - Rep. Muratore- thanking Nicole. exactly what we need here in MA. How long did it take to get this going? Josh Basile's story made headlines all over the news.
 - Charlie Carr (guest Commissioner)- We have had a Medicaid Buy-In program in MA since 1988 called CommonHealth, which is a model for the rest of the country. There are no asset limits, no income limit, no age limit, you can also "retire" and still have CommonHealth. Recently CMS approved a program for folks to go into retirement status at which time premiums scale down and they can keep their Medicaid. Rather than pass laws, an easier way is to ask state Medicaid agency to file waivers with CMS to change the program.
 - Kathy- thanks for comments and contributions. We have a strong Medicaid Buy-In program in MA. Not as familiar with MA Medicaid Buy-In program as Charlie.

- Charlie- Medicaid Buy-In is a national program, however, only 28 states participate. Nicole's idea for a national standard for state buy-in is a good one and would require legislation on federal level.
- Oz- knew about CommonHealth but good reminder. Push to communicate CommonHealth to commission members and on our website. How can we highlight and use simplified language with the community?
- Nicole- we need to do more awareness of the Medicaid Buy-In program. Families don't know about it and they are worried about losing SSI and SSDI benefits.
- Kathy- Imene can post resources on the website. Kathy asking Charlie if information about CommonHealth is readily available on the mass.gov website. Charlie will send Imene link to post on our page. Work without Limits has fact sheet, Kathy will send link to Imene.
- Gyasi- National legislation: there was a bill to increase SSI asset limit to 10K, didn't pass. It was proposed in 2019. Are we going to keep federal level legislation on our radar? Kathy- yes, we are. Bring back this topic to full Commission. It's called the [SSI Savings Penalty Elimination Act](#).

Links shared by Nicole:

- <https://mgaleg.maryland.gov/mgaweb/legislation/details/sb0572?ys=2023RS>
 - <https://mdbenefitscounseling.org/uncategorized/eid-to-scrap-income-and-resource-limits/>
 - Podcast: <https://aoddisabilityemploymentcenter.com/the-new-normal/>
 - https://www.huffpost.com/entry/ssi-in-kind-support-maintenance_n_63ebf926e4b022eb3e32f2d6
- Kathy asking Charlie if he's familiar with the Savings Penalty Elimination Act raising the SSI asset limit from 2K to 10K for individuals, 3K to 20K for married couples. Rep. Muratore had technical difficulties and couldn't provide an update.
 - Charlie shared on Estate Recovery legislation, HD.472/SD.259: An Act protecting the homes of seniors and disabled people on MassHealth. Lead Sponsors: Rep. Christine Barber, Sen. Jo Comerford.
 - Critical, one of very few pathways out of poverty for people with disabilities who want to work. Remain largest poorest minority group in the country.
 - One of the other barriers to going to work is Estate Recovery. If individual with a disability is on Medicaid, or MA CommonHealth (aka Medicaid Buy-In), once they turn 55 years old, every Medicaid dollar that is spent on them is tracked and kept by Medicaid agency. When person with disability dies, once your estate is

probated, Medicaid agency comes looking for recoupment for money spent. It's very draconian, bad public policy.

- The average person with a disability who becomes aware of the Estate Recovery system thinks “why should I go to work if everything I earn after 55yo gets taken away from my family”.
- Estate Recovery Program, Protection of Homes for Seniors and Persons with Disabilities Act. One of the components of this act is the exemption of the CommonHealth Program from Estate Recovery. Benefit of this act is removing another disincentive for people with disabilities so state won't be able to go after the estate once the person with a disability passes. Charlie will send the link to Imene.
- Ask Chair Garlick:
 - Kathy- what is our role, or do we have a role to promote legislation? Bring this to Commission.
 - Oz- this conversation is happening- when do we step in, when do we not, there is a need to create a governance process.
 - Chris- Chair Garlick is definitely thinking about that and how to maximize our impact as a Commission.
 - Charlie- our subcommittee (Legislative/Policy) is looking into our next subcommittee meeting. How do we relate to other subcommittees and Chair/Vice-Chair?
 - Kathy- we will send info on the federal SSI Savings Penalty Elimination Act to Charlie for his subcommittee. Where do these actions fall? Which subcommittee?
 - Charlie- shouldn't compartmentalize efforts.
 - Kathy- agreed, Imene, Sophia can coordinate across subcommittees.

Review of Workability Report Priorities (Continued):

- Kathy- [Disability Employment Tax Credit \(DETC\)](#), Joseph Reale from MRC will be guest speaker at our April subcommittee meeting. We want to advertise to other Commission members.
- Oz invited Becky Curran Kekula from Disability:IN as our guest speaker for the May meeting where she will share information on the Disability Equality Index (DEI), which is a benchmarking tool for large businesses. Looking into ways organizations can improve and series of support systems. Oz also shared that he does consulting work for Disability:IN. Our subcommittee has interest in benchmarking and recognition for small and mid-sized employers.

- Grid: Kathy introduced Grid to Charlie: data collection, recommendations were made. We have simplified these recommendations on the Grid.
- REC- Kathy did follow up with Stephanie Marks from Riverside Community Care. Created a tab in the Grid with information received from Stephanie. Stephanie is interested in presenting to the Commission. Collaboratives have grown, except Berkshire, south area/coastal, Cape Cod.
- Ride Share program- tabled for now.
- Hiring Benchmarks- guest speaker in April. Educating ourselves, set foundation for our group.
- Removing physical and digital barriers- Charlie- two bills have been refiled again this year and made quite a way last session, lots of bills died, Governor made mandatory requirement to take tax aversion and disperse it, lots of bills including this one didn't make it. Group of disability advocates are working on structural bill and bill on required accessibility. Employee work areas, bathrooms, new constructions are required to provide.
- Carl shared about the [S.4998 Websites and Software Applications Accessibility Act](#) - All websites to be made accessible. Will share information.
- Oz- as public service- we should be accessible as a state. It's a priority, removing barrier of technical/ digital access is paramount to work on.
- MA Office on Disability (MOD) Summit in Oct. 2022 - Kathy attended. Keynote speaker- from Berkeley, CA [Lainey Feingold](#), a disability rights lawyer and accessibility expert. Ms. Feingold relayed that similar previous bills nationwide were not as strong as this one, i.e., Websites and Software Applications Accessibility Act. This one is very good and strong. This has an impact on employers. Currently only federal and state agencies are required to be accessible from a digital footprint perspective. This new bill, if passed, will require ALL entities to be accessible from a digital point of view- best practice (might be included in Disability:IN DEI). It's a game changer.
- Oz- worked with Perkins School for the Blind looking at Spaulding Network to make website accessible. A bill will make this great for business community. We can give this info as onset of new businesses.
- Kathy- goal by WorkAbility committee: set new hiring goals in state contracting. SDO regularly updates on this with Joe Bellil from Easter Seals (Employment Now committee). Charlie mentioned they do fabulous work, recommended committee to invite them and present.

- Oz asked if there is union involvement? Charlie- I don't believe so. Carl agrees with Charlie. With state contract, no union. Oz- not advocating but if union doesn't come in, it might be barriers to employment. Whoever is closest to this should share this info.
- Kathy- full commission in March. She will be expected to give report to full Committee. Asked other members to share their thoughts and send to her.
- Gyasi- we do have similar program in MA to MD's program, we need to educate people on what is available, what we can accomplish at state level or local level, what can't be accomplished at federal level. May be relationship between state and federal. For example, the SSI Savings Penalty Elimination Act that would raise asset limit, it may or may not pass. Can we do something on state level as a Commission?
Oz recommended sharing the top 3 takeaways.

Chris- our very thoughtful approach to subcommittee work, beginning stages for full commission to understand, so much we are talking about is in public policy, lots of crossover with Legislative committee, don't want to lose impact as a result.

- Rep. Muratore- agrees on top 3 ideas.
- Carl- agree with all. Decide our priorities and work with Charlie's committee.

Next Meeting Date

The next meeting of the Disability Employment Subcommittee will be held on:

Monday, April 24th at 12:00 pm.

Adjournment