

# DISABLED PERSONS PROTECTION COMMISSION

## Commissioners' Meeting Minutes

### January 26, 2017

Commissioners Present: Honorable James Brett and Yndia Lorick-Wilmot Ph.D.; Maurice Medoff participated by telephone for medical purposes

Staff Present: Nancy A. Alterio, Executive Director and Julie Westwater, General Counsel

Minutes Recorded By: Nancy A. Alterio

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Handouts – The following materials were distributed to the Commissioners:

- Commissioners' Agenda of January 26, 2017
- Commissioners' Meeting Minutes of December 8, 2016
- Governor's Budget Recommendation Released January 25, 2017
- Budget Summary and Narrative Report December 2016
- Resumes for Clerk Positions
- HRD 2016 Management Evaluation Program – Final Review Stage Implementation
- Summary of House Docket 2324 and Senate Docket 1248
- Sample Letter to Legislators in Support of Co-Sponsoring DPPC's Bill
- MOU with Pathways to Change and DPPC
- 2017 ACL Learning Collaborative Announcement
- Quarterly Activity Report – October, November, December 2016
- Hotline Activity Report – December 2016
- Oversight Activity Report – December 2016
- Legal Activity Report – December 2016

The Honorable Chairperson Brett called the meeting to order at 4:00 p.m.

1. Public Participation (5 minutes per participant)

There was no public participation.

2. Approval of Minutes of Meeting of December 8, 2016

**MOTION:** To accept minutes of December 16, 2016 as received motioned by Commissioner Medoff and seconded by Chairperson Brett

**VOTE:** Unanimous to accept the minutes of December 16, 2016 as received

3. Administration and Finance

- Governor's Budget Release: The Governor released his budget recommendation on January 25, 2017. Governor Baker recommended \$3,131,354 in funding for the DPPC which would allow DPPC to sustain staffing into FY18 with one exception;

funding does not include cost of living increases for bargaining unit staff as a new contract has not yet been ratified and cost are unknown at this point.

- Joint Ways and Means FY2018 Budget Package – February 1, 2017: The Joint Ways and Means packages are due February 1<sup>st</sup>. DPPC’s narrative will be consistent with the narrative sent to ANF back in September highlighting DPPC’s milestones, needs and suggestions for expansion.
- Monthly Budget Summary and Narrative Report December 2016: The Monthly Budget Summary Report along with a narrative for December 2016 was submitted to the Commissioners for their review and comments. DPPC spent 50% out of 50% of its budget during the first six months of the fiscal year.

#### 4. Personnel

- New Hires: DPPC hired one full-time and one part-time clerk to assist with receptionist duties, record retention and outreach and training. Several years ago DPPC was forced to lay-off its receptionist. Since that time, five staff have been rotating their time answering the phones, processing the mail, printing and collating training materials and other miscellaneous responsibilities. The two positions were posted and interviews were conducted. DPPC received over 200 applications. DPPC was able to offer the part-time position of three days per week to an individual who initially interned with DPPC through the Massachusetts Commission for the Blind. DPPC offered the full-time position to the Project Coordinator with the Building Partnerships Initiative. Resumes of the two individuals were provided to the Commissioners. Both individuals will be starting on Monday, February 6, 2017.
- 2016 Management Performance Evaluation Program – Merit Increase: HRD announced the FFY16 Final Review Stage for the Management Performance Evaluation Program. A copy of the memo was provided to the Commissioners. Managers who meet certain eligibility requirements are eligible for a merit increase of 1.5%. Managers who receive a rating of Exceptional are eligible for a bonus of \$500 - \$1,000 and/or one to two days off. Managers who receive a rating of Highly Effective are eligible for a bonus of one to two days off. Agency Heads are not eligible to participate in the merit pay program and receive a merit increase or bonus.

#### 5. Statutory Amendments

- Summary of House Docket 2324 and Senate Docket 1248: DPPC General Counsel Julie Westwater informed the Commissioners that DPPC’s bill, *An Act updating terminology and investigative practices related to the protection of persons with disabilities*, has been filed. The bill was concurrently filed on DPPC’s behalf in the House and Senate by Representative Sean Garballey (House Docket 2324) and Senator John Keenan (Senate Docket 1248), respectively. A one-page handout highlighting the changes was presented to the Commissioners. Attorney Westwater provided a summary of the key provisions of the bill, which are designed to improve the DPPC’s operations and enhance the protections of persons with disabilities in the Commonwealth.

- Seeking Co-Sponsors: To maximize the chances for passage of the bill, co-sponsors are being sought to sign on to S.1248 and H.2324. DPPC Executive Director sent a letter to all respective House and Senate members requesting that they co-sponsor DPPC's pending legislation. The deadline for co-sponsoring House bills is February 3, 2017. At this time, we don't know the deadline for co-sponsoring Senate bills.

6. CAC of Bristol County Annual Legislative Breakfast

DPPC Executive Director Alterio accepted an offer to speak at the CAC of Bristol County Legislative Breakfast scheduled for tomorrow morning, Friday, January 27, 2017. The breakfast has always highlighted the work of the Bristol CAC and need for ongoing funding. This year, the theme is routed in the value of CAC's and its multidisciplinary partnerships. The Executive Director was asked to speak about DPPC's pending legislation in addition to highlighting the collaborative work between DPPC and the Bristol CAC in responding to sexual assaults against victims with intellectual/developmental disabilities. The Commissioner of DCF, who is the CAC's primary referral source, is also presenting.

7. MOU with Pathways for Change

DPPC signed on to an MOU with Pathways for Change, a not-for-profit charitable corporation, to establish a collaborative working agreement to ensure sexual assault victims with intellectual/developmental disabilities have access to counseling related activities. A copy of the MOU was distributed to the Commissioners.

8. EOPSS Invite to Serve on VAWA Advisory Committee

The Executive Office of Public Safety and Security (EOPSS) invited the DPPC Executive Director to join their Violence Against Women Act (VAWA) Advisory Committee. This Committee, which is required by federal law, is comprised of various stakeholders within domestic and sexual violence service providers, law enforcement, prosecution and the judicial systems throughout the Commonwealth. The purpose of the Committee is to assist EOPSS with the multi-year (2017-2020) implementation planning process for their competitive federal grant application due this spring. This implementation plan will outline the ways that Massachusetts will use grant funding to enhance responses to victims of sexual assault, domestic violence, dating violence and stalking as in accordance with federal priority areas. As a member of this Committee, the DPPC Executive Director will be able to provide insight and recommendations for EOPSS implementation plan prior to its final submission to the Office of Violence Against Women working to ensure consideration of sexual assault and domestic victims of disabilities.

9. ACL Updates

- Learning Collaborative Webinar on Communication Strategies: DPPC is hosting its first ACL Learning Collaborative, a lunchtime webinar, entitled *Communication Strategies for Staff Working with Persons who have an Intellectual/Developmental Disability* to be held on February 16, 2017. Tom Hall, Assistant Vice President for Clinical Services at Riverside Community Care, is the primary presenter.

- Guidelines for Rape Crisis Centers: The drafted Guidelines for Rape Crisis Centers (RCCs) have been drafted and are being distributed to the sixteen RCCs throughout the Commonwealth for feedback.

#### 10. MOVA Request for Grant Applications

The Massachusetts Office for Victim Assistance (MOVA), Victims of Crime Act (VOCA), released a grant application titled, *Services for Survivors who are Deaf and Hard of Hearing and Survivors with Disabilities* (“SDHHD”), to help ensure that sexual assault victims with disabilities have full and equal access to all available trauma-related services. MOVA is making available two million dollars, over two years, to eligible applicants with a possible option to renew for a subsequent two years. The DPPC anticipates applying for the funding to expand on the initial work which created the coordinated infrastructure required to provide persons with disabilities better access to critical trauma informed resources. The MOVA grant proposal continues this work with the creation of a Sexual Assault Response Unit comprised of Protective Service Navigators and Peer Support Persons which will connect victims of sexual assault with disabilities to the same resources available to other victims of sexual assault. The Protective Service Navigators will offer individualized supports to sexual assault victims with disabilities to ascertain what, if any trauma-related services, the victim may want or need and support that individual in obtaining services. Improving access to services for persons with disabilities also means improving access to long-term mental health treatment for all persons with disabilities, particularly persons with I/DD. The VOCA funds, if awarded, will be used to continue to address the barriers often experienced by individuals with disabilities in accessing trauma services including awareness of existing services and also the development and maintenance of a statewide list of specialized practitioners who can provide critical long-term mental health services to sexual assault victims with disabilities. However, as the VOCA funds are cost reimbursement and this is a very sizable budget, DPPC needs to determine if this funding stream is optional for the agency or not. DPPC’s Budget Director is conferring with the Comptroller’s Office.

#### 11. Quarterly and Monthly Reports

- Quarterly Report: The quarterly report covering October, November, December 2016 was distributed for review.
- Hotline Activity Report – **December 2016**: The Hotline Activity Report for the month of **December 2016** was distributed and reviewed. The Commission received **931** abuse reports during the month of **December of 2016**. In addition to the abuse reports, the Hotline received **561** information and referral calls and **66** death reports, a combined total of **1,558** calls to the Hotline in **December 2016**.
- Oversight Activity Report – **December 2016**: The Oversight Activity Report for the month of **December 2016** was distributed. The report tracks cases per oversight officer, cases pending 19C reports, cases with 19C reports, deferred cases, 19C reports received, protective service plans received, initial reports received and notices to abusers. Within the month **184** cases were closed in comparison to **205** cases being assigned. At the close of the month, there were **851** active oversight cases and **484** overdue investigation reports. The backlog of overdue investigation reports decreased during the month despite an increase in abuse reports.

- Legal Activity Report – **December 2016**: The legal activity report tracks guardianship petitions filed, court appearances, petitions received and completed, records requests/demands completed and referrals to other agencies/boards. The Legal Activity Report for **December 2016** was distributed. The Legal Unit received **6** petitions and completed **12** petitions and **66** records requests during the month. There are **285** Petitions pending review.

12. Statement of Financial Interests

The Commissioners were reminded that their Statement of Financial Interests will be due to State Ethics around May 1, 2017. The forms cannot be completed until State Ethics provides the Commissioners with their individual password.

13. New Business

The next Commissioners' meeting is scheduled for March 9, 2017 at 4:30 p.m. Additional meetings will need to be scheduled at the March 9<sup>th</sup> meeting.

14. Adjournment

**MOTION:** Commissioner Lorick-Wilmot motioned to adjourn the meeting at 5:30 p.m., Medoff Commissioner seconded.

**VOTE:** Unanimous to adjourn the meeting at 5:30 p.m.