

DISABLED PERSONS PROTECTION COMMISSION

Commissioners' Meeting Minutes

June 19, 2018

Commissioners Present: Honorable James Brett, Kacy Maitland, Mary Beth McMahon

Staff Present: Nancy Alterio, Emil DeRiggi, Julie Westwater, John Brown

Minutes Recorded By: Nancy A. Alterio

Handouts – The following materials were distributed to the Commissioners:

- Commissioners' Agenda of June 19, 2018
- Commissioners' Meeting Minutes of March 1, 2018
- Organizational Chart
- Executive Director's Letter of June 10, 2018 to Senate Ways and Means requesting S.52 to advance to a vote
- Summary of S.52
- NAPSA Adult Protective Services Abuse Registry National Report
- Building Partnerships Initiative Brochure
- Sexual Assault Response Unit Advisory Council Agenda of June 13, 2018
- Budget Summary and Narrative Report May 2018
- FY2019 Management Performance Evaluation Program – Planning Review Stage
- Quarterly Report – January, February, March 2018

The Honorable Chairperson Brett called the meeting to order at 4:30 p.m.

1. Welcome and Introductions

Chairman Brett welcomed newly appointed Commissioner Mary Beth McMahon to the DPPC Board. Commissioner McMahon has vast experience working with persons with disabilities and spoke about her work with the Special Olympics. DPPC's leadership team present at the meeting was introduced to the new Commissioner.

2. Approval of Minutes of Meeting of March 1, 2018

MOTION: To accept the minutes of March 1, 2018 as received motioned by Commissioner Maitland and seconded by Chairman Brett; Commissioner McMahon abstained

VOTE: Commissioner Maitland and Chairman Brett accepted the minutes of March 1, 2018 as received

3. Overview of the DPPC

Executive Director Alterio and Deputy Executive Director DeRiggi introduced Commissioner McMahon to the mission, role and structure of the DPPC. A brief description of the Intake, Oversight, Investigation, Legal and Sexual Assault Response Units was provided. How DPPC intersects with other state agencies such as the

Department of Developmental Services, Department of Mental Health and the Massachusetts Rehabilitation Commission was illustrated. In addition, the role of the State Police Detective Unit and relationship with law enforcement was explained.

4. Role of the Commissioners

Executive Director Alterio and Chairman Brett explained the role of the Commissioners as providing the necessary check and balances to ensure the organization is compliant and adhering to applicable rules, requirements and mandates fiscally and statutorily. Over the years, the Commissioners have provided guidance and support to the Executive Director in relation to their respective background and expertise such as clinical, legal and governmental knowledge.

5. DPPC Highlights

Several DPPC highlights were shared and discussed. General Counsel Westwater described pertinent pending legislation including the current status of DPPC's pending bills, S.52 and H.1958, which amends DPPC's statute. Although the bill received a favorable vote out of the House and Senate Committees on Children, Families and Persons with Disabilities, the bills remain in Ways and Means. General Counsel Westwater explained DPPC past and current efforts in moving the bill. A copy of the most recent letter sent to Senate Ways and Means, along with a summary of the bill, was shared with the Commissioners. Also highlighted was Senate Bill 2213, a bill to create a Disability Abuse Registry. Given the bill will have significant impact on agency resources, DPPC is looking to receive additional funding.

Executive Director Alterio introduced Commissioner McMahon to some of DPPC's national efforts including her work with the National Adult Protective Services Administration (NAPSA). Executive Director Alterio served on the NAPSA Board over the years in a variety of roles including membership, regional representative and president. Most recently, Executive Director Alterio chaired a national Ad-Hoc Abuse Registry Committee and oversaw the development of a report two years in the making that looks at APS abuse registries across the country. A copy of the recently released report, *NAPSA Adult Protective Services Abuse Registry National Report*, was provided to the Commissioners. Annually, NAPSA conducts national conferences usually held in late summer. All four workshop proposals submitted from Massachusetts were selected which will address Peer Support Leadership, APS Registries, Investigating and Prosecuting Crimes Against Persons with Disabilities and the Sexual Assault Response Unit.

The work of the Building Partnerships for the Protection of Persons with Disabilities Initiative (BPI), which Executive Director Alterio co-chairs along with retired Northwestern District Attorney Elizabeth Scheibel, was introduced. The BPI is a statewide Massachusetts initiative that, using a multidisciplinary approach, links law enforcement, adult protection, human services and others to address abuse and crimes committed against persons with disabilities. Thousands of providers, persons with disabilities, law enforcement and others have been trained to effectively recognize, report and respond to abuse through the efforts of BPI. BPI is funded through an award to the Hampden District Attorney's Office from the Department of Developmental Services.

The Commissioners were notified of the recently held Sexual Assault Response Unit's first-ever Advisory Council meeting. The initial meeting was well attended by many with significant experience in the field of disability, research, medicine, health, finance and law enforcement. Although the Council was scheduled to meet twice a year, due to significant interest, the Council members proposed and agreed to meet quarterly. A copy of the agenda, which includes a list of the Council members, was provided to the Commissioners.

6. New Initiatives

Several new initiatives were introduced to the Commissioners including rebuilding DPPC's database, partnering with a University to create assistive technology to assist persons with disabilities to recognize, report and/or respond to abuse, creating a formalized Quality Assurance Unit at the DPPC and developing and conducting training on financial abuse.

To address the technology shortcomings, DPPC is applying for federal funding through the Administration for Community Living (ACL). DPPC is looking to rebuild its database to improve its data collection capabilities, which will expand the agency's participation in the National Adult Maltreatment Reporting System (NAMRS) program, as well as increase the efficiency of DPPC's operations agency-wide. Also through the ACL funds, DPPC is seeking to oversee the design and implementation of Recognize, Report, Respond (R3, or R Cubed) technology – such as a smartphone/tablet app, a smartwatch app, or a custom hardware device – to assist persons with intellectual or developmental disabilities (I/DD) in learning about and reporting abuse, which will increase the detection and reporting of abuse by adults with I/DD. However, if DPPC is not awarded the ACL funds, but does receive additional funding through appropriation, DPPC will work to utilize some of the funds to support the rebuild of the database. Chairman Brett recognized the importance of rebuilding DPPC's database and supports utilizing funding for the rebuild.

Quality assurance and data collection has always been an important component of DPPC's operations as highlighted by Deputy Executive Director DeRiggi. DPPC has historically achieved and coped given restraints in resources by utilizing an understanding of continuous quality management. However, a new unit is being created to formalize systems, processing and tracking. Developing a more formalized Quality Assurance will involve many detailed steps of planning, fulfilling and monitoring activities within each unit in an effort to ensure that DPPC's quality requirements are met. Internal audits will detect risks and correct problems or discrepancies that fall outside established requirements as well as identify training needs.

A third new initiative is the development of financial abuse training for DDS staff and providers. With the passing of the Real Lives Law, mandated reporters are now required to report suspected financial abuse to DPPC. DPPC partnered with DDS, with input from the Office of the Inspector General, to develop a training on financial abuse. The training has been drafted and is being pilot tested. DPPC and DDS are working with the Center for Developmental Disabilities Evaluation and Research (CDDER), E.K. Shriver Center/ University of Massachusetts Medical School to ensure the power point is accessible and to record the webinar. The webinar will be posted online and available to all.

7. Agency Business

Administration and Finance Director Brown reviewed the Monthly Budget Summary and Narrative Report of May 2018 with the Commissioners. Director Brown also explained the budget process and the agency's current fiscal standing with two recommendations in the conference committee being considered. HWM recommended an additional \$500,000 over maintenance and the SWM recommended an additional million. DPPC Executive Director submitted a letter to the six members of the conference committee asking them to support the additional million. A copy of the letter was provided to the Commissioners.

Two retirements were announced. One of DPPC's original eight hires and longest standing employee, Susan Love, Outreach and Prevention Coordinator, is retiring after 30 years of service. In addition, DPPC's most senior person, Kathy Bodrero, Compliance Officer, after 20 years is also retiring.

The Executive Director explained the process and recent change to the FY2019 Management Performance Evaluation Program. The Management Performance Evaluation Program is divided into three stages including Planning, Progress Review and Final Review. A significant change to the program is aligning the timing of the Achievement and Competency Enhancement System (ACES) with the Employee Performance Review System (EPRS). EPRS runs along the fiscal year, whereas ACES ran along the federal fiscal year. HRD is transitioning ACES to match the ERPS timing. To align ACES with EPRS, the FY2019 review period now runs from June 7, 2018 to June 28, 2019. During the Planning Stage reporting managers are responsible to enter performance objectives onto the FY2019 ACES form, where at least one manager performance objective must be tied to the agency's goal. Appraising managers are responsible to review, discuss and approve their direct reports' objectives by June 29, 2018. As a result, the Executive Director presented the drafted goals of herself and her direct reports including Deputy Executive Director, General Counsel and Director of Administration and Finance to the Commissioners for their review and approval. The Commissioners reviewed and approved the goals as presented.

MOTION: To accept the goals/planning stage of the Executive Director, Deputy Executive Director, General Counsel and Director of Administration and Finance as presented motioned by Chairman Brett and seconded by Commissioner Maitland

VOTE: Unanimous to accept the managers' planning stages as presented

In addition, the FY2017 final EPRS stage direct reports of the Executive Director including the Outreach and Prevention Coordinator, Program Coordinator and MIS Coordinator were submitted to the Commissioners for review, discussion and approval. After review and discussion, the Commissioners approved the final ratings of the Executive Director's direct reports as presented.

MOTION: To accept the FY2017 EPRS final ratings of the Executive Director's direct reports as presented motioned by Commissioner Maitland and seconded by Chairman Brett

VOTE: Unanimous to accept the Executive Director's direct reports FY2017 EPRS final ratings as presented

The FY2018 EPRS planning stage for the Executive Director's direct reports of Program Coordinator and MIS Coordinator were submitted to the Commissioners for review, discussion and approval. After review and discussion, the Commissioners approved the planning stage of the Executive Director's direct reports as presented.

MOTION: To accept the FY2018 EPRS planning stage of the Executive Director's direct reports as presented motioned by Chairman Brett and seconded by Commissioner Maitland

VOTE: Unanimous to accept the Executive Director's direct reports FY2018 EPRS planning stages as presented

The Commissioners were provided with a copy of the agency's quarterly report for period covering January through March 2018.

8. Commissioners' Meeting Schedule

The next meeting will be held in September. The Commissioners will be emailed the date.

9. New Business

Commissioner McMahon requested a list of the co-sponsors of S.52 and H.1958 along with a digital copy of the summary of the bill. The information will be emailed as requested.

10. Adjournment

MOTION: Commissioner McMahon motioned to adjourn the meeting at 6:30 p.m., Commissioner Maitland seconded

VOTE: Unanimous to adjourn the meeting at 6:30 p.m.