

DISABLED PERSONS PROTECTION COMMISSION

Commissioners' Meeting Minutes

March 9, 2017

Commissioners Present: Honorable James Brett, Yndia Lorick-Wilmot Ph.D. and Maurice Medoff

Staff Present: Nancy A. Alterio, Executive Director, Emil DeRiggi, Deputy Executive Director and Jennifer Edwards-Hawkins, Program Coordinator

Minutes Recorded By: Jennifer Edwards-Hawkins

Handouts – The following materials were distributed to the Commissioners:

- Commissioners' Agenda of March 9, 2017
- Commissioners' Meeting Minutes of January 26, 2016
- Budget Summary and Narrative Report February 2017
- FY2018 Joint Committee on Ways and Means Maintenance Plan Narrative
- Joint Committee on Ways and Means FY2018 Budget Hearings Schedule
- Senator Barrett's Budget Request
- DPPC Budget Brief
- House Bill 1958 with Co-Sponsors
- List of Senate Co-Sponsors for Senate Bill 52
- Summary of House Bill 1958 and Senate Bill 52
- MOU with Health Imperatives and DPPC
- Hotline Activity Report – February 2016
- Oversight Activity Report – February 2016
- Legal Activity Report – February 2016
- DPPC Annual Report FY2016

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

1. Approval of Minutes of Meeting of January 26, 2017

MOTION: To accept minutes of January 26, 2017 as received motioned by Commissioner Lorick-Wilmot and seconded by Commissioner Medoff

VOTE: Unanimous to accept the minutes of January 26, 2017 as received

2. Scheduling Additional Commissioners' Meetings

The Commissioners scheduled the remaining meetings for FY2017 which will be posted accordingly.

- Wednesday, April 26, 2017 from 4:30 – 6:30 p.m.
- Thursday, May 25, 2017 from 4:30 – 6:30 p.m.
- Thursday, June 22, 2017 from 4:30 – 6:30 p.m.

3. Administration and Finance

- Monthly Budget Summary and Narrative Report February 2017: The Monthly Budget Summary Report along with a narrative for February 2017 was submitted to the Commissioners for their review and comments. DPPC is on budget and has expended 66% of its budget through the eighth month of the fiscal year.
- Joint Ways and Means FY2018 Budget Package – February 1, 2017: The Joint Ways and Means package was completed and submitted accordingly. The Executive Director’s narrative, which accompanied the package, highlighted DPPC’s milestones, needs and suggestions for expansion. A copy of the narrative was provided to the Commissioners.
- Ways and Means Hearing Schedule – March 20, 2017: The Joint Committee on Ways and Means released their budget hearing schedule. DPPC Executive Director is scheduled to testify on behalf of the agency’s budget on March 20, 2017 in Worcester. Unlike most previous years, DPPC is not scheduled with EOHHS agencies such as DDS, MRC, DCF and MCDHH but instead is scheduled with Public Safety.
- Senator Barrett’s Budget and Brief Request: Senator Barrett is seeking an additional one million in funding for the DPPC. An increase of one million would enable DPPC to hire about 13 additional staff including investigators, oversight officers and hotline operators. As requested, DPPC provided Senator Barrett with a budget detailing the additional expenditures with a million dollar increase along with a revised copy of the DPPC Budget Brief.

4. Statutory Amendments

House Bill 1958, Senate Bill 52 and Co-Sponsors: 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 Bill 1958) and Senator John Keenan (Senate Bill 52) respectively. The key provisions of the bill are designed to improve the DPPC’s operations and enhance the protections of persons with disabilities in the Commonwealth. The Commissioners were provided with a copy of the House Bill which includes the list of sponsors along with the list of Senate sponsors. A brief summary of the Bill, highlighting the major changes, was also distributed to the Commissioners. The bill is with the Joint Committee on Children, Families and Person with Disabilities.

5. New House and Senate Members reception – April 5, 2017

Representative Sean Garballey is organizing a reception at the State House for the DPPC to meet with new House and Senate members. However, the event will be opened to all members interested in attending. This is an opportunity for the new and seasoned members to learn about the DPPC including its milestones, challenges and needs. The reception is scheduled to be held on April 5, 2017 in the House Member’s Lounge from 11:00 a.m. to noon.

6. Personnel

- EPRS – Stage B: Stage B is the six month review for the year to determine if staff are on track to complete their assigned goals. Stage B reviews for Jennifer Edwards-Hawkins and Susan Love were completed by the Executive Director and presented to the Commissioners for review and signature.

MOTION: To accept ratings for six month review as presented motioned by Commissioner Lorick-Wilmot and seconded by Chairperson Brett

VOTE: Unanimous to accept ratings for six month review as presented

- 2016 Management Performance Evaluation Program – Approved: Executive Director Alterio informed the Commissioners that HRD has approved a merit increase of 1.5% for managers who met certain eligibility requirements. Agency Heads are not eligible to participate in the merit pay program at this time.

7. MOU with Health Imperatives

Health Imperatives has reached out to DPPC, along with numerous other agencies, to sign onto a Memorandum of Understanding in support of enhancing the Plymouth County Sexual Assault Response Team (SART). DPPC has been an active member of the Plymouth County SART for years. A copy of the MOU and list of participating agencies were provided to the Commissioners.

8. ACL Updates

- Learning Collaborative/Technical Assistance
 - Webinar on Communication Strategies: DPPC hosted its first statewide ACL Learning Collaborative, a lunchtime webinar, entitled *Communication Strategies for Staff Working with Persons who have an Intellectual/Developmental Disability* on February 16, 2017. The 275 attendees of the fall ACL regional trainings were invited to join the webinar; with over 80 participants attending the webinar. Tom Hall, Assistant Vice President for Clinical Services at Riverside Community Care, presented on “*The things they never taught me in school, but I now know after more than 25 years working with individuals with intellectual and developmental disabilities.*” Tom also provided information regarding different types of communication disorders, augmentative communication strategies, and the role of learning and memory
 - Meeting with RCC Clinical Supervisors – March 23, 2017: ACL Project Coordinator and ACL Co-Directors attended a statewide mandatory meeting of RCC Clinical Supervisors and/or Executive Directors on March 23, 2017 to obtain and discuss additional feedback on the drafted Guidelines and the sample forms and sample procedures contained within the Guidelines.
 - Webinar on Consent and Persons with I/DD – April 27, 2017: The ACL project is scheduled to host its second statewide webinar on April 27, 2017, titled, “Sexual Decision-making among Adults with Intellectual and Developmental Disabilities”. Pat Carney, Trainer for the Massachusetts Department of

Developmental Services, is the primary speaker. This webinar again is intended for the professions included in the ACL project: DDS, RCC, A&A, DPPC and other agency staff.

Following the April webinars, four regional, in person multidisciplinary Learning Collaborative sessions are being scheduled for the month of May 2017. Each of the four regional discussion sessions will be hosted by an RCC in one of the four regions. Participation at each regional Learning Collaborative will be limited to approximately 20-25 people per region. Joanna Bridger, Clinical Services Director at Riverside Trauma Center, will moderate the lunchtime multidisciplinary discussions.

- Guidelines for Rape Crisis Centers: The drafted Guidelines for Rape Crisis Centers (RCCs) were distributed to the sixteen RCCs throughout the Commonwealth for review and feedback provided by March 22, 2017. The feedback received will be reviewed and the Guidelines will be amended accordingly. The Guidelines will be submitted to ACL for final approval along with the third semi-annual report in April.

9. MOVA Request for Grant Applications – March 22, 2017

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. DPPC applied for a \$2 million grant 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. In support of the application, all 16 Rape Crisis Centers and Victim Rights Law Center signed onto an MOU with the DPPC. In addition DPPC received letters of support from DDS, SANE and DPH. A MOVA Board meeting is scheduled for March 22, 2017 to determine which applicants will be awarded grants. 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.

10. NAPSA

- Abuse Registry Committee Update: The NAPSA Ad-Hoc Abuse Registry Committee is still collecting data from across the country on abuse registries. Surveys were sent

out to the 20 states that identified as having a registry. More than half of the states have completed the electronic survey. Follow-up phone interviews are also being conducted for states that do complete the survey to gather even more detail. A national webinar is scheduled for May to begin to highlight the committee's findings. The full report is scheduled for completion in late summer/early fall.

- Conference: The 28th Annual NAPSA conference is being held at the Hilton City Center, Milwaukee, WI on August 28 – 30, 2017. DPPC/BPI have submitted three proposals to present which include the:
 - ACL project,
 - Investigating and prosecuting crimes committed against persons with disabilities, and
 - Awareness & Action training.

11. Building Partnerships Initiative Updates

- APS In-Service – April 4, 2017: The all-day, mandatory statewide APS in-service, is scheduled for April 4, 2017 at UMass Medical School, Shrewsbury. A parent of a son with a disability, who was physically abused, is scheduled to speak during the morning session.
- Protect, Report, Preserve (PRP) Trainings – May 2, 2017: The half-day training, designed to educate staff to effectively recognize, report and respond to abuses committed against persons with disabilities, will be held at the Radisson Hotel and Suites, Chelmsford, MA on May 2, 2017 from 9:00 a.m. – 12:30 p.m. An additional PRP training is being planned for western Massachusetts.
- Tier I Trainings – June 8, 2017: An all-day Tier I training, tailored for law enforcement including local and state police and assistant district attorneys along with APS staff, SANE and victim witness advocates, is being held in partnership with the Worcester District Attorney's Office at Anna Maria College on June 8, 2017. The training will highlight the need to utilize a multidisciplinary investigation, the updates in the MOU, the roles of the various team members and communicating with persons with disabilities.

12. Annual and Monthly Reports : Commissioners received copies of the following reports:

- Hotline Activity Report – **February 2017**: The Hotline Activity Report for the month of **February 2017** was distributed and reviewed. The Commission received **819** abuse reports during the month of **February 2017**. In addition to the abuse reports, the Hotline received **463** information and referral calls and **96** death reports, a combined total of **1,378** calls to the Hotline in **February 2017**.
- Oversight Activity Report – **February 2017**: The Oversight Activity Report for the month of **February 2017** 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 **212** cases were closed in comparison to **179** cases being assigned. At the close of the month, there were **773** active oversight cases and **421** overdue investigation reports.

- Legal Activity Report – **February 2017**: 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 **February 2017** was distributed. The Legal Unit received **7** petitions and completed **2** petitions and **74** records requests during the month. There are **94** Petitions pending review.
- **Annual Report FY2016**: The Commissioners reviewed a copy of the DPPC’s Annual Report for FY2016.

13. Statement of Financial Interests

The Commissioners were reminded that their Statement of Financial Interests will be due to State Ethics on or about May 1, 2017. The forms cannot be completed until State Ethics provides the Commissioners with their individual password. The Commissioners will receive an email along with their password from State Ethics.

14. New Business

Executive Director Alterio reported that the Executive Office of Elder Affairs (EOEA) reached out to DPPC to discuss the feasibility of central reporting. Discussions are ongoing.

Deputy Executive Director DeRiggi reported that DPPC is part of an Interagency Working Group on Residential Schools through the Office of the Child Advocate (OCA). For the past year, the OCA has led an Interagency Working Group comprised of representatives from the state agencies responsible for the oversight of residential schools including the Department of Early Education and Care (EEC), the Department of Elementary and Secondary Education (ESE), the Department of Children and Families (DCF), the Department of Mental Health (DMH), and the Disabled Persons Protection Commission (DPPC). The working group is looking to prevent harm to children by more effectively identifying programs at risk of experiencing operational challenges, and how to provide appropriate support and technical assistance to these programs to ensure their safe operation. A report is being prepared by the working group and will provide a series of recommendations to improve the oversight of services to children in residential schools.

The next Commissioners’ meeting is scheduled for Wednesday, April 26, 2017 from 4:30 – 6:30 p.m.

15. Adjournment

MOTION: Commissioner Lorick-Wilmot motioned to adjourn the meeting at 6:02 p.m., Commissioner Medoff seconded.

VOTE: Unanimous to adjourn the meeting at 6:02 p.m.