



SELF-ADVOCATES ADVISORY COMMITTEE MEETING MINUTES
January 23, 2017

Members Present

David Forderer (Chair, SA)
Robert Taylor (SA)
Kerstin Williams (SA)
Rebecca Donabed (SA)
Charles Nutt (SA)
Kecia Weller (SA)
Sandra Aldana (SA)
Jenny Yang (SA)

Members Absent

Others Attending

Aaron Carruthers
Angela Lewis
Wayne Glusker
Francis Lau (FA)
Denyse Curtright
Riana Hardin
Sarah May

1. CALL TO ORDER

Councilmember David Forderer (SA) called the meeting to order at 1:08 p.m.

2. WELCOME AND INTRODUCTIONS

Everyone present introduced themselves.

3. ESTABLISHMENT OF QUORUM

A quorum was established.

4. PUBLIC COMMENT

There was no public comment.

5. APPROVAL OF NOVEMBER 28, 2016 MINUTES

It was moved/seconded (Charles Nutt (SA)/ Kecia Weller (SA)) and carried to approve the November 28, 2016 SAAC meeting minutes. Council members Sandra Aldana (SA), David Forderer (SA), Rebecca Donabed (SA), Charles Nutt

Legend:

SA = Self-Advocate

FA = Family Advocate

(SA) Robert Taylor (SA) and Kecia Weller (SA) Jenny Yang (SA) and Kerstin Williams (SA) voted 'Aye'.

6. VOTING Follow-Up

Members were provided voting materials in the packet. Members had a rich discussion on voting challenges and obstacles related to voting access. Members are interested in learning what kind of training the poll workers receive regarding the accommodations for people with disabilities and seniors. Members were asked to do research in their local area on what type of training is poll workers receive on assisting people with disabilities. Members were asked to report back on the types of challenges people with I/DD faced in November's election. Members plan to invite a representative from the California Secretary of State to the next SAAC meeting to present on this issue.

7. Briefing on AB 2252

Members received information from Deputy Director Bob Giovati explaining Assembly Bill 2252 that was passed last year. It was signed into law July 2016, and went into effect in January 2017. AB 2252 allows California voters with disabilities access to the vote by mail (VBM) system. Members plan to invite a representative from the California Secretary of State to the next SAAC meeting to present on this issue.

8. SSAN REPORT

Councilmember Forderer (SA) provided a written report on the December 7-8, 2016 SSAN meeting in the packet. The next SSAN meeting will be on March 8-9, 2017. Members requested clarification on the main points in the MOU between SCDD and SSAN.

9. REVIEW OF COUNCIL PACKET

Executive Director Carruthers reviewed the Council Packet with committee members.

Legend:

SA = Self-Advocate

FA = Family Advocate

10. ROLE OF SAAC WITHIN COUNCIL STRUCTURE

Director Carruthers reviewed the flow chart on page 45 of SAAC Packet and went over the role of SAAC within the Council structure. There was a suggestion that there be an additional arrow between the I/DD Community icon and Council/SAAC icon to better capture the system change efforts.

11. EMPLOYMENT FIRST COMMITTEE REPORT

Council member Yang introduced Denyse Curtright, DDS Chief who updated the members on the current status of the Competitive Integrated Employment Blueprint and other employment projects being developed.

12. ADMINISTRATIVE COMMITTEE REPORT

There was no report.

13. TOPICS OF ONGOING DISCUSSION

Members discussed focusing on key topics to monitor during times of funding uncertainty to be sure that services and supports are maintained and protected. They are committed to the previously identified topics including but not limited to: Voting, Housing, Access to Transportation, Emergency Preparedness, and Employment.

14. MEMBER REPORTS

Members provided updates and information on current projects, committees, and attended meetings they are involved in locally.

15. TOPICS FOR FUTURE DISCUSSION

Topics discussed for the next meeting include inviting a representative from the Secretary of State office to speak on training for poll workers.

16. ADJOURNMENT

The meeting was adjourned at 4:47p.m.

Legend:

SA = Self-Advocate

FA = Family Advocate



California's protection & advocacy system

VAAC's: How Voters with Disabilities Can Make Elections More Accessible

December 2016, Pub. #5594.01

1. What is a VAAC?

VAAC stands for Voting Accessibility Advisory Committee (VAAC). A VAAC is a community based committee that works with local elections officials. The committee meets regularly to help develop strategies to improve access to voting.

A VAAC can benefit your county in many ways. A VAAC provides a forum for the disability and senior communities in your county to voice their concerns and provide advice to election officials. The VAAC creates opportunities for collaboration and outreach within your community.

2. What is a VAAC's Role?

The VAAC plays an essential role in helping the County comply with laws requiring equal voting access for all. The Secretary of State recommends that each county elections official establish a local VAAC to help address voting accessibility needs. (Please see: CCROV #10234, <http://elections.cdn.sos.ca.gov/ccrov/pdf/2014/august/14223ab.pdf>.)

Issues such as accessible voting systems, accessibility of polling places, and ways to improve the voting experience are typical areas of discussion. VAAC's can play a critical role in improving voting conditions for people with disabilities. For VAACs to be successful, it is crucial to have community participation.

3. How Do I Become Involved in a VAAC?

If you wish to participate in your local VAAC, you should contact your county clerk or registrar of voters and ask to be on the VAAC. VAAC membership is open to all voters. Your participation is important because community members can best anticipate and provide input on needs of voters with disabilities.

4. My County Does Not Have a VAAC. What Can I Do to Help Establish One?

Begin by contacting your county elections official and ask them to form a VAAC. You can give a copy of the Secretary of State's Letter of Guidance: <http://elections.cdn.sos.ca.gov/pdfs/guide-create-local-vaac.pdf>

Use any of the following talking points.

- A) Provide examples of barriers in voting you know about such as:
 - 1) Locked accessible entrances
 - 2) Locked elevators
 - 3) No accessible parking
 - 4) Blocked paths of travel
 - 5) No signs to accessible parking and entrances
- B) Share examples of successful outcomes from other county VAAC meetings such as:
 - 1) Helped develop educational voting videos
 - 2) Advised on the accessibility of polling places
 - 3) Participated in training poll-workers
 - 4) Suggested ways to spend HAVA funds, such as, the purchase of cones for parking and bells for curbside voting

If the election official is unaware of other potential members for the VAAC you can help identify them. You can offer to help develop the VAAC's membership by contacting organizations such as: California Council of the Blind, local Independent Living Centers, organizations serving people with specific disabilities or the local regional center for people with developmental disabilities.

Once a VAAC is formed, you can volunteer to serve on it.

If you need help setting up a VAAC or if you have any questions, contact Disability Rights California's Voting Line: 1-888-569-7955.

5. Is There a Statewide VAAC?

Yes, the Secretary of State established a VAAC in 2005 to advise and provide recommendations on how best to make the voting process accessible to people with disabilities. In 2015, Governor Jerry Brown signed AB 683, which required the Secretary of State to have a VAAC. The Statewide VAAC is composed of nine members: five of whom represent disability advocacy groups and four county election officials.

Throughout the years, the statewide VAAC has provided input on many voting-related projects and issues, including the polling place accessibility guidelines checklist and training video, voting system accessibility, a confidential voter accessibility survey and online voter registration.

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<https://docs.google.com/forms/d/1d6ezTI2M5UMAWU66exLbc1SQ9wDPzvtuS3AGR4-cgwE/viewform?c=0&w=1>

For legal assistance call 800-776-5746 or complete a [request for assistance form](#). For all other purposes call 916-504-5800 (Northern CA); 213-213-8000 (Southern CA).

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightscalifornia.org/Documents/ListofGrantsAndContracts.html>.



California's protection & advocacy system

YOUR VOTING RIGHTS UNDER CONSERVATORSHIP (SB 589)

October 2016, Pub. #5590.01

**Co-Authored by
Disability Rights California & ACLU of California**



Who has the right to vote in California?

You are eligible to vote in California if you are:

- A United States citizen;
- A resident of California;
- 18 years of age or older on Election Day;
- Not currently imprisoned or on parole for the conviction of a felony;
and
- Not under a conservatorship where a court ruled you are not allowed to vote.

Can I still vote if I am under conservatorship?

Yes. You can vote unless a judge ruled that you are not allowed to vote. When you were first assessed for a conservatorship, the court made a decision about whether you can vote.

If the court said you cannot vote it is possible they made a mistake, especially if your conservatorship was set up before 2016. Starting in 2016, California changed how it decides who can vote. **Now the only time** a court can take away your right to vote is if you cannot let them know you want to vote. **You may be able to get your right to vote back.**

How do I find out if I lost my right to vote?

There are lots of ways to find out if you are eligible to vote:

- Check the order appointing a conservator (look at the form with the number GC 340).
 - There is a section that says whether or not you are allowed to vote.
 - If the box on the form is not checked, then you are eligible to vote and you just need to fill out a voter registration application and you can vote.
 - If the box on the form is checked, then the court said you cannot vote. See the next question to find out how to apply to get your right to vote back.
- If you cannot find your form GC 340, you can ask your conservator if you have the right to vote or ask the case manager at your regional center to check for you
- Call your county elections office to ask if you are eligible.

How can I get my right to vote back?

To get your right to vote back:

- You need the court to make a new decision. You can do this by either waiting for the court's regular review of your conservatorship or by contacting the court and requesting a review now.
- If you want to wait for your next review, it should happen every one or two years. It could be longer in some counties where they are behind on reviews because they do not have enough staff.

- If you want your voting rights reviewed right away you need to contact the court to request a review of your right to vote. You can use the sample letter on page 3 to contact the court and tell the judge you want to vote. The judge should review your case and might decide to let you to vote. If an election is soon, ask the court to do your review as soon as possible.

Who can help me contact the court?

You can get help from anyone you want, such as a friend or family member. Some other people who might help are:

- Your conservator
- Your case manager at your regional center
- Your attorney
- Disability Rights California Voting Rights Unit (1-888-569-7955).

What do I do if the judge or court investigator asks me about voting?

All you need to say to a judge or court investigator is, "I want to vote." If you are being asked more questions and feel nervous or intimidated, contact Disability Rights California Voting Hotline: 1-888-569-7955.

What if I cannot speak, can I still vote?

Yes. You can let the judge know that you want to vote any way you are able to. For example, you can use any device that helps you let people know what you want.

What if I cannot read or write without help, can I still vote?

Yes. You are entitled to assistance with registering to vote and with voting. For example, you can have anybody help you fill out a voter registration card or help you fill out a ballot. Also, each polling place has a machine that will read the ballot to you and even help you mark the ballot.

What if court does my review and says I cannot vote?

If you have told the court or the court investigator you want to vote, the court should hold a hearing to decide if you can vote. If the court decides you cannot vote, contact the Disability Rights California Voting Hotline: 1-888-569-7955.

How can I protect my right to vote?

If this is the first time you are being reviewed for a conservatorship, make sure to tell your case manager at your regional center, the court investigator who comes to speak to you, and the judge that you want to vote. Every time your conservatorship is reviewed, tell the court investigator and the judge that you want to vote.

What do I do if people are trying to tell me I should not vote or trying to stop me from voting?

If you feel you are being discouraged from voting or have faced discrimination, please contact the Disability Rights California Voting Hotline: 1-888-569-7955.

SAMPLE LETTER STATING YOUR DESIRE TO VOTE

September 15, 2016 (*Today's current Month, Day, Year*)

Insert judge's name and address for the court; see list of court addresses starting on page 6 and continuing through page 8; below is just a sample

Judge Judy Smith (*First and Last Name if you have the name*)

OR

Clerk of the Court (*If you don't know the name of the judge*)

Superior Court of _____ County

Probate Clerk

1234 Main Street (*Insert address for the court. See list of court addresses starting on page 6*)

City, CA 94123

Your First and Last Name

(*Name of Conservatee*)

Your Case Number

(*Case # of Conservatorship. Check your order appointing a conservator for the case number*)

First and Last Name of Contact Person

(*Contact person for Conservatee*)

789 First Avenue

(*Your street address, City and State*)

City, CA 94321

(*Your city, state, and ZIP code*)

714-333-3333

(*A telephone number*)

name@gmail.com

(*An email address*)

Dear Judge _____: (*or use "Clerk of the Court"*):

I would like to vote. Please restore my right to vote pursuant to California Senate Bill 589 as soon as possible. (*If there is an upcoming*

election, ask to have your voting rights restored before the voter registration deadline, which is 15 days before the election.)

Please send a copy of the order reinstating my right to vote to me, and send a copy to the county elections office.

Thank you,

[Your Signature Conservatee signature]

Print your name

Print name of Conservatee

cc: *(Send copies of the letter to your conservator and your attorney)*

[Name of your Attorney if you know their name]

[Name of your Conservator]

LIST OF MAILING ADDRESS FOR PROBATE DIVISION COURT HOUSES

Superior Court of Alameda County
Berkeley Courthouse
Probate Division
2120 Martin Luther King, Jr. Way
Berkeley, CA 94704

Superior Court of Amador County
Probate Clerk
500 Argonaut Lane
Jackson, CA 95642

Superior Court of Butte County
Probate Clerk
1775 Concord Avenue
Chico, CA 95928

Superior Court of Calaveras
County
Probate Clerk
400 Government Center Drive
San Andreas, CA 95249-9794

Superior Court of Colusa County
Probate Clerk
532 Oak Street;
Colusa, CA 95932

Superior Court of Contra Costa
County
Probate Clerk
725 Court Street
Martinez, CA 94553

Superior Court of Del Norte
County
Probate Clerk
450 H Street
Crescent City, CA 95531

Superior Court of El Dorado
County
Probate Clerk
Placerville Fair Lane Branch
295 Fair Lane
Placerville, CA 95667

Superior Court Fresno County
Probate Clerk
1130 O Street
Third Floor
Fresno, CA 93721-2220

Superior Court of Glenn County
Probate Clerk
526 West Sycamore Street
Willows, CA 95988

Superior Court of Humboldt
County
Probate Clerk
421 I Street,
Eureka, CA 95501

Superior Court of Imperial County
Probate Clerk
939 West Main Street
El Centro, CA 92243

Superior Court of Inyo County
Probate Clerk
168 North Edwards
Independence, CA 93526

Superior Court of Kern County
Probate Clerk
Department 1
1215 Truxtun Ave
Bakersfield, CA 93301

Superior Court of Kings County
Probate Clerk
1640 Kings County Drive
Hanford, CA 93230

Superior Court of Lake County
4th Floor, Room 417
255 North Forbes Street
Lakeport, CA 95453

Superior Court of Lassen County
Probate Clerk
2610 Riverside Drive
Susanville, CA 96130-2610

Superior Court of Los Angeles
County
Michael Antonovich Antelope
Valley Courthouse
42011 4th Street West
Lancaster, CA 93534

Superior Court of Los Angeles
County
Stanley Mosk Courthouse
Probate Clerk
111 North Hill Street
Los Angeles, CA 90012

Superior Court of Madera County
Probate Clerk
200 South "G" Street
Madera, CA 93637

Superior Court of Marin County
Probate Clerk
Civic Center Hall of Justice Rm
#113
P.O. Box 4988
San Rafael, CA 94913

Superior Court of Mariposa
County
Probate Clerk
P.O. Box 28
Mariposa, CA 95338

Superior Court of Mendocino
County
Probate Clerk
100 North State Street
Ukiah, CA 95482

Superior Court of Merced County
Probate Clerk
627 W. 21st Street
Merced, CA 95340

Superior Court of Modoc County
Probate Clerk
205 South East Street
Alturas, CA 96101

Superior Court of Mono County
Probate Clerk
P.O. Box 1037
Mammoth Lakes, CA 93546

Superior Court of Monterey
County
Probate Clerk
1200 Aguajito Road
Monterey, CA 93940

Superior Court of Napa County
Probate Clerk
825 Brown Street
Napa, CA 94559

Superior Court of Nevada County
Probate Clerk
201 Church Street
Nevada City, CA 95959

Superior Court of Orange County
Probate Clerk
Central Justice Center
700 Civic Center Drive West
Santa Ana, CA 92701

Superior Court of Plumas County
Probate Clerk
520 Main Street Room 104
Quincy, CA 95971

Superior Court of Riverside
County
Probate Clerk
4050 Main St
Riverside, CA 92501

Superior Court of Sacramento
County
Probate Clerk
3341 Power Inn Road
Sacramento, CA 95826

Superior Court of San Benito
County
Probate Clerk
450 Fourth Street
Hollister, CA 95023

Superior Court of San Bernardino
County
Probate Clerk
247 West Third Street
San Bernardino, CA 92415-0212

Superior Court of San Diego
County
Madge Bradley Courthouse
Probate Clerk
1409 Fourth Avenue
San Diego, CA 92101

Superior Court of San Francisco
County
Probate Clerk
Room 202
400 McAllister Street
San Francisco, CA 94102-4514

Superior Court of San Joaquin
County
P.O. Box 201022
Stockton, CA 95201

Superior Court of San Luis Obispo
County
Probate Clerk
1035 Palm Street, Room 385
San Luis Obispo, CA 93408

Superior Court of San Mateo
County
Probate Clerk
Hall of Justice
400 County Center
Redwood City, CA 94063

Superior Court of Santa Barbara
County
South County
Anacapa Division
1100 Anacapa Street
P.O. Box 21107
Santa Barbara, CA 93121-1107

Superior Court of Santa Barbara
County
North County
Cook Division
312-C East Cook Street
P.O. Box 5369
Santa Maria, CA 93456-5369

Superior Court of Santa Clara
County
Probate Clerk
191 North First Street
San Jose, CA 95113

Superior Court of Santa Cruz
Probate Clerk
701 Ocean Street, Room 110
Santa Cruz, CA 95060

Superior Court of Shasta County
Probate Clerk
1500 Court Street, Room 319
Redding, CA 96001

Superior Court of Sierra County
Probate Clerk
P.O. Box 476
Downieville, CA 95936

Superior Court of Siskiyou County
Probate Clerk
311 Fourth Street, Room 206
Yreka, CA 96097

Superior Court of Solano County
Probate Clerk
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Superior Court of Sonoma County
Probate Clerk
Hall of Justice
600 Administration Drive
Santa Rosa, CA 95403

Superior Court of Stanislaus
County
Probate Examiner
801-10th Street, Sixth Floor
Modesto, CA 95354

Superior Court of Sutter County
Probate Clerk
1175 Civic Center Blvd
Yuba City, CA 95993

Superior Court of Tehama County
Probate Clerk
633 Washington St., Room 17
Red Bluff, CA 96080

Superior Court of Trinity County
Probate Clerk
P.O. Box 1257
Weaverville, CA 96093-1258

Superior Court of Ventura County
Probate Clerk
P.O. Box 6489
Ventura, CA 93006-6489

Superior Court of Tulare County
Probate Clerk
221 South Mooney Blvd, Room
201
Visalia, CA 93291

Superior Court Yolo County
Probate Clerk
1000 Main Street
Woodland, CA 95695

Superior Court of Toulumne
County
Probate Clerk
41 West Yaney Avenue
Sonora, CA 95370

Superior Court of Yuba County
Probate Clerk
215 Fifth Street, Suite 200
Marysville, CA 95901

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<https://docs.google.com/forms/d/1d6ezTI2M5UMAWU66exLbc1SQ9wD/PzvtuS3AGR4-cgwE/viewform?c=0&w=1>

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*California's Protection & Advocacy System
Toll-Free (800) 776-5746*

Your Right to Vote and Register to Vote When You are in a Facility

October 2016, Pub #5414.01

Right of Facility Residents to Vote

California Elections Code section 2211 provides that people committed under California Penal Code section 1026 (not guilty by reason of insanity), California Penal Code section 1370 (incompetent to stand trial), the old mentally disordered sex offender (MDSO) statute and California Penal Code section 2684 (mentally disordered prisoners) are automatically disqualified from voting or registering to vote while "involuntarily confined, pursuant to a court order, in a public or private facility." Such individuals automatically become eligible to vote again when they are discharged from the facility. It is the court's responsibility to notify the county elections official that the person's right to vote has been restored.

However, California Elections Code section 2211 makes no mention of sexually violent predators (SVP), pursuant to California Welfare and Institutions Code section 6600; mentally disordered offenders (MDO), pursuant to California Penal Code sections 2962 and 2972; those not guilty by reason of insanity whose commitment has been extended, pursuant to California Penal Code section 1026.5; those who are incompetent to stand trial based on developmental disability, pursuant to California Penal Code section 1370.1; or those who are charged with having committed a misdemeanor, pursuant to California Penal Code section 1370.01. Thus there is no restriction on the ability of those groups to register and vote. Additionally, some people under a conservatorship are not able to register to vote because a judge removed the right to voter when establishing the

conservatorship. To learn more about conservatorships and regaining the right to vote please see: "Your Voting Rights Under Conservatorship (SB 589) ([pdf](#)) ([rtf](#)), October 2016, #5590.01."

National Voter Registration Act of 1993 (NVRA) and SB 35

The NVRA is the "motor voter" act and SB 35 is California's implementing statute that took effect in 2013. (California Election Code section 2400-2408.) These laws require that voter registration services be provided when mental health services are provided to consumers. This includes state hospital services (See Department of Mental Health (DMH) Special Order No.: 718). For state hospitals:

1. DMH must provide voter registration services to any consumer even if DMH believes that there is reason to believe that the individual does not meet registration requirements. (DMH can flag the registration form, without writing on the form, for county eligibility review when the form is sent to the county.)
2. DMH must obtain the resident's signature on a Voter Application/Declination form. This form must be kept separate from the regular hospital record. If the resident wants to register to vote, DMH must help the consumer fill out a voter registration form and forward it to the county.

ELECTIONS CODE SECTION 2208-2212

§ 2208. Mentally incompetent persons; disqualification from voting; order; exceptions

- (a) A person is presumed competent to vote regardless of his or her conservatorship status. A person shall be deemed mentally incompetent, and therefore disqualified from voting, if, during the course of any of the proceedings set forth below, the court finds by clear and convincing evidence that the person cannot communicate, with or without reasonable accommodations, a desire to participate in the voting process, and any of the following apply:
 - (1) A conservator for the person or the person and estate is appointed pursuant to Division 4 (commencing with Section 1400) of the Probate Code.

- (2) A conservator for the person or the person and estate is appointed pursuant to Chapter 3 (commencing with Section 5350) of Part 1 of Division 5 of the Welfare and Institutions Code.
- (3) A conservator is appointed for the person pursuant to proceedings initiated under Section 5352.5 of the Welfare and Institutions Code, the person has been found not competent to stand trial, and the person's trial or judgment has been suspended pursuant to Section 1370 of the Penal Code.
- (4) A person has plead not guilty by reason of insanity, has been found to be not guilty pursuant to Section 1026 of the Penal Code, and is deemed to be gravely disabled at the time of judgment as defined in paragraph (2) of subdivision (h) of Section 5008 of the Welfare and Institutions Code.
 - (b) If the proceeding under the Welfare and Institutions Code is heard by a jury, the jury shall unanimously find that the person is not capable of completing an affidavit of voter registration before the person shall be disqualified from voting.
 - (c) If an order establishing a conservatorship is made and in connection with the order it is found by clear and convincing evidence that the person cannot communicate, with or without reasonable accommodations, a desire to participate in the voting process, the court shall forward the order and determination to the Secretary of State and the county elections official of the person's county of residence in the format prescribed by the Secretary of State.
 - (d) A person shall not be disqualified from voting pursuant to this section on the basis that he or she does, or would need to do, any of the following to complete an affidavit of voter registration:
 - (1) Signs the affidavit of voter registration with a mark or a cross pursuant to subdivision (b) of Section 2150.
 - (2) Signs the affidavit of voter registration by means of a signature stamp pursuant to Section 354.5.
 - (3) Completed the affidavit of voter registration with the assistance of another person pursuant to subdivision (d) of Section 2150.
 - (4) Completes the affidavit of voter registration with reasonable accommodations.

2209. Mentally incompetent persons; review under Probate Code of capability to communicate desire to participate in voting process; findings by investigator; hearing

- (a) For conservatorships established pursuant to Division 4 (commencing with Section 1400) of the Probate Code, the court investigator shall, during the yearly or biennial review of the conservatorship as required by Chapter 2 (commencing with Section 1850) of Part 3 of Division 4 of the Probate Code, review the person's capability of communicating, with or without reasonable accommodations, a desire to participate in the voting process.
- (b) If the person had been disqualified from voting by reason of being incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, or by reason of being incapable of completing an affidavit of voter registration, the court investigator shall determine if the person continues to be incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, and the investigator shall so inform the court.

If the investigator determines that the person continues to be incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, a court hearing on the issue is unnecessary. If the investigator finds that the person is not incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, the court shall hold a hearing to determine if, by clear and convincing evidence, the person cannot communicate, with or without reasonable accommodations, a desire to participate in the voting process. Unless the person is found incapable of communicating that desire, the person's right to register to vote shall be restored, and the court shall so notify the Secretary of State and the county elections official in the format prescribed by the Secretary of State.

- (c) If the person had not been found to be incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, and the court investigator determines that the person is no longer capable of communicating that desire, the investigator shall so notify the court. The court shall hold a hearing to determine if, by clear and convincing evidence, the person cannot

communicate, with or without reasonable accommodations, a desire to participate in the voting process. If the court determines that the person cannot communicate that desire, the court shall order the person to be disqualified from voting pursuant to Section 2208, and the court shall so notify the Secretary of State and the county elections official in the format prescribed by the Secretary of State.

2210. Mentally incompetent persons; contest under Welfare and Institutions Code of disqualification from voting; restoration of right to vote; notice

- (a) If the person or the person and estate is under a conservatorship established pursuant to Chapter 3 (commencing with Section 5350) of Part 1 of Division 5 of the Welfare and Institutions Code, the person may contest his or her disqualification from voting pursuant to the procedure set forth in Section 5358.3 of the Welfare and Institutions Code.
- (b) When the conservatorship described in subdivision (a) terminates after one year, the person's right to register to vote shall also be automatically restored and notification shall be made to the Secretary of State and the county elections official in the format prescribed by the Secretary of State. If a petition is filed for the reappointment of the conservator, a new determination shall be made as to whether the person should be disqualified from voting.
- (c) If the right to vote is restored pursuant to Section 5358.3 of the Welfare and Institutions Code or if the conservatorship is terminated in a proceeding held pursuant to Section 5364 of the Welfare and Institutions Code, the court shall notify the Secretary of State and the county elections official of the person's county of residence in the format prescribed by the Secretary of State that the person's right to register to vote is restored.

2211. Mentally incompetent person; determination under Penal or Welfare and Institutions Code provisions; disqualification from voting or registering to vote during period of confinement in facility; notice; release from treatment facility

- (a) Any person who (1) has plead not guilty by reason of insanity and who has been found to be not guilty pursuant to Section 1026 of the

Penal Code, (2) has been found incompetent to stand trial and whose trial or judgment has been suspended pursuant to Section 1370 of the Penal Code, (3) has been convicted of a felony and who was judicially determined to be a mentally disordered sex offender pursuant to former Section 6300 of the Welfare and Institutions Code, as repealed by Chapter 928 of the Statutes of 1981, or (4) has been convicted of a felony and is being treated at a state hospital pursuant to Section 2684 of the Penal Code shall be disqualified from voting or registering to vote during that time that the person is involuntarily confined, pursuant to a court order, in a public or private facility.

- (b) Upon the order of commitment to a treatment facility referred to in subdivision (a), the court shall notify the elections official of the county of residence of the person and order the person to be disqualified from voting or registering to vote.
- (c) If the person is later released from the public or private treatment facility, the court shall notify the county elections official of the county of residence of the person that the right of the person to register to vote is restored.

2212. Statement of persons convicted of felonies; cancellation of affidavits of registration for those imprisoned or on parole

The clerk of the superior court of each county, on the basis of the records of the court, shall furnish to the chief elections official of the county, not less frequently than the first day of April and the first day of September of each year, a statement showing the names, addresses, and dates of birth of all persons who have been convicted of felonies since the clerk's last report. The elections official shall, during the first week of April and the first week of September in each year, cancel the affidavits of registration of those persons who are currently imprisoned or on parole for the conviction of a felony. The clerk shall certify the statement under the seal of the court.

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>

SAMPLE LETTER THAT YOU CAN USE TO WRITE TO YOUR LEGISLATOR

(Month) (Day) (Year)

The Honorable (First name) (Last name)

(Room Number), State Capitol

Sacramento, CA (Zip Code)

RE: (state the topic or include the bill number, author and subject if you are writing to support or oppose a particular legislative bill)

Dear (Assembly Member/Senator) (Last name):

My name is (your first and last name) and I am a regional center consumer (family member /service provider/advocate/community member) who resides in your district.

(State why you support or oppose the bill or other issue here. Choose up to three of the strongest points that support your position and state them clearly.)

(Include a personal story. Tell your representative why the issue is important to you and how it affects you, your family member and your community.)

(Tell your representative how you want her or him to vote on this issue and ask for a response. Be sure to include your name and address on both your letter and envelope.)

Sincerely,

SIGN YOUR NAME

Print your name

Street address

City, State, Zip code

TIPS FOR WRITING, SENDING AN E-MAIL OR CALLING A LEGISLATOR

Writing a letter to a legislator

Use the proper salutation, for example:

The Honorable (first name) (last name)

Address

City, State, Zip code

Dear (Assembly Member / Senator) (last name)

Be courteous and informative in your communication.

State the purpose of the letter in the opening sentence and if you are referring to a bill, include the bill number, author and topic. If you live in the elected official's district be sure to say this in the opening paragraph as well.

Focus on the message and key points. Personalize the letter by including examples of how the legislation might impact you and your family. Keep the letter brief – not more than one page.

Restate your request at the end of the letter, for example urging them to support or oppose the bill. Thank the legislator for his or her support and offer to address any questions that he or she might have. Be sure to include your contact information, and sign the letter.

Sending e-mail communication to a legislator

The same guidelines apply to e-mail as to written letters. Before sending an e-mail, you might want to call the legislator's office and ask if a letter sent by e-mail is effective. If you do send an e-mail, send it to the representative. Do not copy other representatives or send a mass e-mail. Make it a brief message with no special layouts or graphics. Do not include attachments. Include your full name and address so it is clear that you are a constituent, and ask for a response. You might also want to send a hard copy of your e-mail to the legislator.

Phone calls to a legislator

State your name and address and identify yourself as the legislator's constituent. You will often be speaking with a secretary or aide. Briefly make known your position as they keep track of the issues that people call about to report to the legislator. Have your thoughts organized in advance, which will help you to keep the call brief and to the point. It is also very helpful to share how the issue affects you personally. Thank them for their support.

COVER LETTER TO THE SECRETARY OF STATE

Secretary of State
1230 J Street
Sacramento, CA 95814

Re: Request to File Articles of Incorporation

I am enclosing the original and two copies of the Articles of Incorporation which are hereby submitted for filing. Please certify the two copies and return them to me in the enclosed self-addressed envelope

I am also enclosing a check for \$__.00, payable to the Secretary of State, to cover your filing fee of \$__.00.

Sincerely,

Enclosures



Voter Access

Presented by:

Jon Ivy

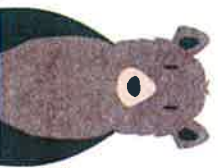
Voter Access Coordinator

Elections Division

CA Secretary of State

Topics

- Voting by yourself
- Getting help voting
- Helping others



Voting by yourself



- Every voter has the right to vote independently.
- Everyone has the right to vote alone without anyone seeing how they voted.



Voting by yourself



- Things that help us vote independently:
- Plain language
- Accessible voting equipment



Getting help voting



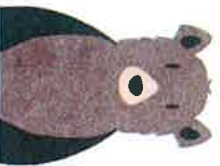
- Every voter has the right to get help voting from almost anyone they want.
- Election workers and volunteers are available to help.



Getting help voting



- People who help us vote:
- Family and friends
- Caregivers
- Election workers
- Volunteers



Helping others



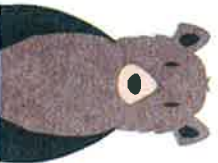
- **Ways to help others:**
- **You can help people register to vote.**
- **You can help people go to vote on Election Day.**



Voting Accessibility Advisory Committee (VAAC)



- Get involved! Serve on your local or state VAAC.
- Help improve our election system.
- Open to advocates and self-advocates.



Additional Voting Resources



- Online Voter Registration:
<http://RegisterToVote.CA.Gov/>
- Voting Resources for Voters with Disabilities:
<http://www.sos.ca.gov/elections/voting-resources/voters-disabilities/>
- Voting Accessibility Advisory Committee (VAAC):
<http://www.sos.ca.gov/elections/vaac/>

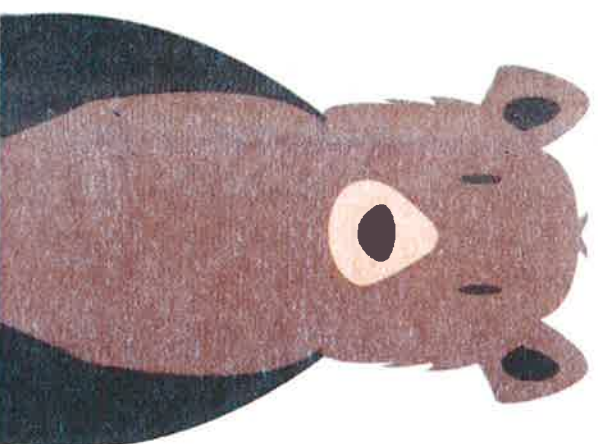


Thank you

For more information, please see our website

<http://www.sos.ca.gov/elections>

Or contact Jon Ivy, Voter Access Coordinator,
at jivy@sos.ca.gov or 916-695-1581.



LPPC AGENDA ITEM DETAIL SHEET

BILL: AB 384, as introduced, Irwin. The Qualified ABLE Program: tax-advantaged savings accounts

ISSUE: CalABLE Program.

SUMMARY: From the author's fact sheet: AB 384 would remove the state residency requirement for participation in the CalABLE program, allow CalABLE to market its services nationally, and exclude ABLE account funds from determining eligibility for state/local means-tested programs that are partially federally funded (i.e. Medi-Cal).

BACKGROUND/ISSUES/ANALYSIS: The author states: Many individuals with disabilities depend on a variety of state and federal programs to provide housing, health care, and other supportive benefits. However, often times to qualify for these benefits, individuals cannot have more than \$2,000 in savings.

In 2014, the Achieving a Better Life Experience Act (ABLE Act) allowed individuals with disabilities to establish tax-free savings accounts. In 2015, SB 324 (Pavley) and AB 449 (Irwin) established the CalABLE Program, which administers the ABLE Act in California.

ABLE accounts do not impact eligibility for public benefits and are not subject to federal or California state income tax. Currently, CalABLE permits contributions of up to \$14,000 per year, totaling no more than \$100,000, to a tax-advantaged savings account.

The ABLE Act has provided much-needed financial security by allowing individuals with disabilities to save money while still enrolled in essential public benefit programs. That being said, the ABLE Act is still evolving in order to best serve individuals with disabilities.

In December 2015, H.R. 2029 eliminated the initial residency requirement for the federal program. Before, a qualified ABLE beneficiary could only establish an account in his/her state of residency. Under H.R. 2029 an individual may enroll in another state's program if his/her state does not have its own.

Currently, the CalABLE Act does not match federal law.

1. Despite the federal adoption of H.R. 2029, the CalABLE program still prohibits residents of other states from participating.
2. The CalABLE Act is not clear on whether or not state and local programs that are partially federally funded, such as Medi-Cal, use ABLE account funds to determine eligibility.

AB 384 would remove the state residency requirement and allow CalABLE to market its services nationally. Allowing nonresidents to participate in CalABLE will increase that total amount of assets in the program, which will lower service fees for Californians. It also would clarify ABLE account funds are excluded from means-testing for programs that are at least partially funded by federal dollars. This ensures that individuals with disabilities are eligible for necessary public benefits.

DISCUSSION: According to the author, AB 384 would remove the state residency requirement and allow CalABLE to market its services nationally. Allowing nonresidents to participate in CalABLE will increase that total amount of assets in the program, which will lower service fees for Californians. It also would clarify ABLE account funds are excluded from means-testing for programs that are at least partially funded by federal dollars. This ensures that individuals with disabilities are eligible for necessary public benefits.

Note: SCDD supported the prior CalABLE bills and has a seat on the CalABLE board.

RECOMMENDATION: Support AB 384 (Irwin).

COUNCIL STRATEGIC PLAN OBJECTIVE: Goal 6- Formal and informal community supports.

ATTACHMENTS: Text of AB 384.

PREPARED: Bob Giovati.

LPPC AGENDA ITEM DETAIL SHEET

BILL: AB 959, as introduced, Holden. Developmental services: regional centers.

ISSUE: Access to regional center vendors.

SUMMARY: This bill would require a regional center to include on its Internet Website a list, in a standardized format prescribed by the department, of the services that are provided directly to consumers by the regional center or through service vendors or contractors.

The bill would prohibit a consumer, parent, legal guardian, authorized representative, or conservator from being denied access to a provider that is vendorized by a regional center solely based on the fact that the provider is not in the consumer's catchment area.

BACKGROUND/ANALYSIS: Consumers, parents, legal guardians, authorized representatives, and conservators need access to the widest variety of services and supports available.

DISCUSSION: The goals of this bill coincide with those of our State Plan.

RECOMMENDATION: Support AB 959.

COUNCIL STRATEGIC PLAN OBJECTIVE: Goal 6 - Formal and informal community supports.

ATTACHMENTS: Text of AB 959.

PREPARED: Bob Giovati.

LPPC AGENDA ITEM DETAIL SHEET

BILL: AB 973, as introduced, Low. Remote accessible vote by mail system.

ISSUE: Accessible voting.

SUMMARY: This bill would require a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified remote accessible vote by mail system. This requirement would become operative one year after the date on which the Secretary of State certifies a remote accessible vote by mail system.

BACKGROUND/ANALYSIS: THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 3016.5 is added to the Elections Code, to read:

3016.5.

A county elections official shall permit a voter with a disability to cast his or her ballot using a certified remote accessible vote by mail system.

SEC. 2.

Section 3116.5 is added to the Elections Code, to read:

3116.5.

A county elections official shall permit a military or overseas voter to cast his or her ballot using a certified remote accessible vote by mail system.

SEC. 3.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 4.

This act shall become operative one year after the date on which the Secretary of State certifies a remote accessible vote by mail system pursuant to Chapter 3.5 (commencing with Section 19280) of Division 19 of the Elections Code.

DISCUSSION: The importance of accessible voting has been a key focal point of discussions in the SCDD SSAN Committee. This bill furthers that goal.

RECOMMENDATION: Support SB 973.

COUNCIL STRATEGIC PLAN OBJECTIVE: Goal 1: Self Advocacy.

ATTACHMENTS: Text of AB 973.

PREPARED: Bob Giovati.

LPPC AGENDA ITEM DETAIL SHEET

BILL: AB 1607, as introduced, Frazier. Developmental services: integrated competitive employment.

ISSUE: Competitive Integrated Employment (CIE) and Employment First Policy.

SUMMARY: This bill is intended to improve tailored day services and community-based vocational development services.

BACKGROUND/ANALYSIS: Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities and their families. Existing law establishes the Employment First Policy, which is the policy that opportunities for integrated, competitive employment be given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities.

Existing law authorizes a consumer to choose a tailored day service or vouchered community-based training service, in lieu of any other regional center vended day program, look-alike day program, supported employment program, or work activity program. Existing law requires a tailored day service to (1) include an individualized service design, as determined through the individual program plan (IPP) and approved by the regional center, that maximizes the consumer's individualized choices and needs and (2) encourage opportunities to further the development or maintenance of employment, volunteer activities, or pursuit of postsecondary education; maximize consumer direction of the service; and increase the consumer's ability to lead an integrated and inclusive life.

This bill would authorize a consumer being supported in a supported employment program or work activity program who has the stated goal of integrated competitive employment in his or her IPP to request to use tailored day services in conjunction with his or her existing program to achieve that goal, if specified criteria are met, including that the type and amount of tailored day service allowed under these provisions is determined through the IPP process. The bill would specify the maximum hours of tailored day services that may be authorized in conjunction with existing services under these provisions.

Existing law, until January 1, 2025, provides that the Legislature intends that in order to increase effectiveness and opportunity to gain meaningful integrated competitive employment opportunities, habilitation services shall also provide community-based vocational development services. Existing law requires the department to conduct a 4-year demonstration project in up to 5 volunteer regional centers to determine whether the provision of community-based vocational development services increases

integrated competitive employment outcomes and reduces purchase of service costs for working age adults.

As part of the pilot program, existing law requires a plan to be developed if community-based vocational development services are determined to be a necessary step to achieve a supported employment outcome, and provides for the hourly rate for the services and hours of participation that may be provided. Existing law requires the department to secure federal Medicaid funding for these services prior to implementation of the project and requires these provisions to be implemented only to the extent that federal financial participation is available and any necessary federal approvals have been obtained.

This bill would delete the provisions stating legislative intent and requiring the department to conduct a demonstration project, thereby implementing the provisions that require habilitation services to also provide community-based vocational development services effective statewide without a demonstration project.

DISCUSSION: The Legislature should place a high priority on opportunities for adults with developmental disabilities to choose and customize day services to meet their individualized needs, have opportunities to further the development or maintenance of employment and volunteer activities, direct their services, pursue postsecondary education, and increase their ability to lead integrated and inclusive lives.

These goals fully coincide with those of the Council.

RECOMMENDATION: Support AB 1607.

COUNCIL STRATEGIC PLAN OBJECTIVE: Goal 2: Employment.

ATTACHMENTS: Text of AB 1607.

PREPARED: Bob Giovati.

LPPC AGENDA ITEM DETAIL SHEET

BILL: SB 177, as introduced, Nguyen. Cognitively impaired adults: caregiver resource centers.

ISSUE: Respite care.

SUMMARY: This bill would, each fiscal year, commencing with the 2017–18 fiscal year, appropriate \$3,300,000 from the General Fund to the State Department of Health Care Services for allocation to CRCs for the purpose of providing those respite care services. The bill would also authorize those services to be provided in person and, except for respite care services, through the use of remote technologies.

BACKGROUND/ISSUES/ANALYSIS: The author states: An estimated 58% of Californians juggle work in the labor force with unpaid work as a family caregiver. When it becomes difficult to juggle caregiving with work and other family responsibilities, many employed caregivers make changes such as arriving to work late or leaving early. Sometimes they also have to quit work in order to provide care to a family member. According to data from AARP, approximately 4.5 million family caregivers in California provide care to an adult with limitations in daily activities. The economic value of the 3.85 million hours of unpaid labor provided by these California caregivers is approximately \$47 billion. This is equivalent to 1.25 times total Medi-Cal spending. One-third of all California households contain at least one caregiver who provides 20+ unpaid hours a week.

Female caregivers are more likely than males to have made alternate work arrangements, for example taking a less demanding job, giving up work entirely, and losing job related benefits such as compromising their retirement. Predominately single women caring for their elderly parents are 2.5 times more likely than non-caregivers to live in poverty in old-age.

Respite care provides caregivers a temporary rest from caregiving, while the person who is being cared for continues to receive assistance in a safe environment. Respite supports and strengthens a caregiver's ability to stay healthy. Respite care can be provided as in-home care, adult day care, residential, and transportation services to relieve the caregiver from the stresses of constant care provision. Currently there are over 5,000 caregivers on wait lists for respite.

Eleven community-based nonprofit Caregiver Resource Centers (CRCs) throughout the state serve families and other unpaid caregivers of adults affected by chronic health conditions. These debilitating disorders include dementia's like Alzheimer's as well as conditions that create both physical and cognitive impairments (ALS, Parkinson's, brain tumor, brain injury and cerebrovascular_disease/stroke): Family

caregivers take on the triple duty of personal care, household chores, and medical/nursing tasks needed by their loved one.

Caregiver Resource Centers are the lead agency in California that exclusively serve and support unpaid family caregivers through respite and counseling services. California family caregivers are the backbone of reducing hospital readmissions and compliance with provider's care plans. These family caregivers are the invisible but essential long-term care work-force in the state. They provide 80% of the support services that may otherwise be ultimately provided in a skilled nursing facility or hospital.

DISCUSSION: The author further states: In 2009, Caregiver Resource Centers funding was cut by 74%--one of the largest historical funding cuts of any health and human services program. Subsequently, respite services were nearly eliminated. The CRC total allocation has gone from \$10.5 million to the current funding level of \$4.9 million, after a modest restoration of \$2 million last legislative session, to serve 5.8 million family caregivers in California.

SB 177 would restore the 11 CRC budgets by \$300,000 each to fund respite services at a functioning level. As the state continues to promote home and community-based services and managed health care, unpaid family caregivers will be heavily relied upon by providers to help their loved ones navigate and make choices about their healthcare. This reliance on caregivers will only increase as the diagnoses of Alzheimer's and other dementias continue to rise.

RECOMMENDATION: Support SB 177.

COUNCIL STRATEGIC PLAN OBJECTIVE: Goal 6: Formal and informal community supports.

ATTACHMENTS: Text of SB 177.

PREPARED: Bob Giovati.

LPPC AGENDA ITEM DETAIL SHEET

BILL: SB 218, as introduced, Dodd. The Qualified ABLE Program: tax-advantaged savings accounts.

ISSUE: SB 218 will prohibit the state seeking distribution of any amount remaining in the designated beneficiary's ABLE account for any amount of medical assistance paid under the state's Medicaid plan and would prohibit the state from filing a claim for the payment.

SUMMARY: SB 218 will limit the Medicaid Recovery of Achieving a Better Life Experience Act (ABLE) Accounts in California, by prohibiting the State Medi-Cal Recovery.

BACKGROUND/ANALYSIS: From the author's office: In December 2014, the Federal government authorized states to create ABLE tax-advantaged savings account programs. ABLE accounts allow certain individuals with disabilities to accumulate savings without losing their eligibility for means tested SSI, Medicaid and other government benefit programs. To be eligible for an ABLE account an individual's blindness or disability must have occurred before the individual reached age 26.

An ABLE account is established by and owned by the disabled individual (or by a parent or fiduciary acting on behalf of an eligible individual who is a minor or who lacks capacity). Anyone can contribute to it.

The money in an ABLE account can be used to pay for a broad range of "qualified disability expenses." Funds can be used to pay for education, housing, health, transportation, personal support, employment training, legal and financial assistance, and more.

DISCUSSION: The author's office further states: In the Fall of 2015, California created the California ABLE Act Board, CalABLE, and tasked it with developing the program here in California.

Part of the Board's mission was to include the target population in the development of the program design, but also take lessons learned from programs already operational. A slow uptake in program enrollment across the country led program administrators to question why. The resounding answer was the fact that Medicaid was authorized to recover monies spent on a beneficiary from an ABLE account upon the beneficiary's death. The Federal law gives each state the autonomy to recover state level Medicaid dollars spent as well. Given the concern that current and potential participants have

with the recovery of ABLE accounts, the ABLE program in Pennsylvania sought out and passed legislation that prohibited the state from recovering state level Medicaid dollars spent.

In California, with the largest target population in the country, the program depends on the level of enrollment. The removal of the state level Medicaid recovery would greatly benefit the population by encouraging participants to both enroll in the program and contribute more money than they would be comfortable with should the recovery provision remain intact.

Until recently, individuals receiving federal benefits have been restricted in the amount of money they can save, essentially keeping them in poverty and preventing them from planning for the future. With the Stephen Beck Jr. Achieving a Better Life Experience (ABLE) Act, signed into federal law by President Obama, these thresholds are no longer an obstacle.

In 2015 Governor Brown signed the California ABLE Act into law. CalABLE allows qualified individuals with disabilities and their families to open tax-free savings accounts without the worry of losing vital government assistance. The law establishes a board that will administer the CalABLE savings program.

The CalABLE program in California will open up life-improving opportunities for people with disabilities and their families in much the same way California's ScholarShare 529 plans formed educational opportunities for the state's students.

Contributions to an ABLE account, currently limited to \$14,000 per year, can be made by family, friends, or the beneficiary themselves. The account's earnings are allowed to accumulate tax-free, and the withdrawals, provided they are applied to qualifying disability expenses, are tax-free.

RECOMMENDATION: Support SB 218.

COUNCIL STRATEGIC PLAN OBJECTIVE: Goal 6 - Formal and informal community supports.

ATTACHMENTS: Text of SB 218.

PREPARED: Bob Giovati.

LPPC AGENDA ITEM DETAIL SHEET

BILL: SB 283, as introduced, Wilk. Developmental services: traumatic brain injuries.

ISSUE: Age on onset definition of a developmental disability in California.

SUMMARY: The author states that this bill will extend the age of onset definition for developmental disability to include persons who suffer traumatic brain injuries after attaining age 18 but before attaining age 22. Such persons shall be eligible for developmental disability services and support. It would not change or broaden the definitions of the disability conditions themselves. This age of onset change would be to California Welfare and Institutions Code Section 4512(a), not the Lanterman Act.

BACKGROUND/ANALYSIS: From the fact sheet: California Welfare and Institutions Code Section 4512(a) defines a developmental disability as a disability that originates before an individual attains 18 years of age; continues, and can be expected to continue, indefinitely; and constitutes a substantial disability for that individual. There are multiple reasons for extending the age to 22. First, suggesting that California change its age of onset from 18 to 22 is to conform with the Federal definition as 38 states have already done. Secondly, the medical community has long made it clear that a child's brain has not completed its growth or development until the age of 22 at least and possibly beyond that. Finally, the change in law would have a very meaningful impact on the lives of these struggling young disabled Californians who need help.

DISCUSSION: The author adds: The bill would modify the developmental disability definition to make a person who suffers a traumatic brain injury after he or she attains 18 years of age, but before he or she attains 22 years of age, eligible for services and supports for persons with developmental disabilities if the person would be otherwise eligible for those services but for his or her age.

RECOMMENDATION: Support SB 283.

COUNCIL STRATEGIC PLAN OBJECTIVE: Goal 4: Health and Safety.

ATTACHMENTS: Text of SB 238.

PREPARED: Bob Giovati.

LPPC AGENDA ITEM DETAIL SHEET

BILL: SB 449, as introduced, Monning. Skilled nursing and intermediate care facilities: training programs.

ISSUE: Should Certified Nurse Aids (CNAs) be required to have specific training related directly to Alzheimer's and related dementias?

SUMMARY: The author states that SB 449 will require eight hours of classroom training for Certified Nurse Aides (CNAs) to be dedicated to address the special needs of those with Alzheimer's and related dementias.

BACKGROUND/ANALYSIS: From the author's fact sheet: Alzheimer's is the fifth leading cause of death in California. It is a progressive, degenerative disease currently affecting 610,000 Californians. Over the 7-10 year course of the disease, most individuals require care and support spanning the entire long-term care continuum: in home support, community-based care, institutionalization, and hospitalization.

Nearly all those with Alzheimer's (97 percent) experience behavioral and psychological symptoms with prevalence, frequency, and severity increasing as dementia progresses. Apathy, depression, irritability, and anxiety are particularly common during mild cognitive impairment. Additionally, other symptoms may emerge over the course of the disease, including agitation, verbal and/or physical aggressiveness, delusions, hallucinations, disinhibition, hyperactivity (e.g. wandering, pacing, rummaging), and sleep disturbances.

Certified Nurse Aides (CNAs) are the backbone of California's long-term care delivery system, providing vital care and support to those with disabilities, wherever they reside. With a majority of nursing home residents diagnosed or presenting with a cognitive impairment, CNAs are often challenged to meet the unique care needs of this population due to inadequate training on behaviors, communication, medication management, and other topics specific to Alzheimer's.

When direct care staff have specialized dementia training to anticipate and meet patient needs, there are fewer incidents of falls; lower utilization of antipsychotic and psychotropic medications; reductions in the use of physical restraints; fewer incidents of wandering; and decreases in resident-to-resident or resident-to-staff abuse, a problem that prompts evictions and transfers to higher levels of care.

DISCUSSION: The author adds: Of the existing 60 classroom hours for CNAs, only 50 are prescribed in regulation by the California Department of Public Health (CDPH). There are 10 training hours that are not specified. This bill requires eight of the 10 unspecified classroom hours to focus on dementia training.

SB 449 will provide training, job skills and dementia competency to CNAs and improve the care provided to individuals with Alzheimer's and related dementias.

The senior population is the fastest growing population in California and it is in the public's interest to prepare CNAs to meet statewide staffing shortages to serve this increasing demographic.

RECOMMENDATION: Support SB 449.

COUNCIL STRATEGIC PLAN OBJECTIVE: Goal 4: Health and Safety.

ATTACHMENTS: Text of SB 449.

PREPARED: Bob Giovati.