

Meeting Minutes – Approved

Mayor's Advisory Committee For Equal Access (MACFEA)

Tuesday, July 21, 2015

Mo'ikeha Building, Meeting Room 2A-2B

4444 Rice Street, Lihu'e, HI 96766

Members Present: Rita Manriquez – State Traumatic Brain Injury Advisory Board (STBIAB); Ellen Ching – Easter Seals Hawai'i; Roberta Eiben, Consumer; Dr. Lucy Miller – DCAB (Disability and Communication Access Board) Board Member; Kathy Sheffield – National Alliance on Mental Illness; Suzie Woolway, 'Ohana Home Health Care; Betty Bell, Kaua'i Federation for the Blind

Members Excused: El Doi, Kaua'i Developmental Disability Council; Kathy English, Hawai'i Disability Rights Center

Staff members also present: Linda Nuland-Ames – ADA/EEOC Coordinator; Lani Agoot, Administrative Specialist; Matt Bracken, Deputy County Attorney.

CALL TO ORDER

Chair Roberta Eiben called the meeting to order at 12:29 p.m. with 7 members present.

INTRODUCTION OF MACFEA MEMBERS AND STAFF

PUBLIC HEARING

- Proposed Amendment to the County of Kaua'i Mayor's Advisory Committee for Equal Access Policy for MACFEA Meetings (*notice published June 16, 2015, in the Garden Island Newspaper*)

Chair Eiben opened the public hearing. Staff explained that the proposed amendment was to change the number of committee members from 13 to 9, to better meet quorum requirements. Ms. Ching asked if changing the number of members removes any current members from the committee, to which staff replied that it does not. There was no public testimony on this item.

Action: Ms. Sheffield moved to close the public hearing. Ms. Ching seconded the motion. Motion carried 7:0.

Action: Ms. Ching moved to approve the proposed amendment to the County of Kaua'i Mayor's Advisory Committee for Equal Access. Ms. Manriquez seconded the motion. Motion carried 7:0.

APPROVAL OF THE MINUTES

- Regular Open Session Minutes of January 20, 2015

Action: Ms. Sheffield moved to approve the minutes as circulated. Ms. Ching seconded the motion. Motion carried 7:0.

- Regular Open Session Minutes of April 21, 2015

Action: Ms. Sheffield moved to approve the minutes as circulated. Ms. Ching seconded the motion. Motion carried 7:0.

BUSINESS

- MACFEA Goals for 2014/2015 (On going)
 1. Increasing Emergency Preparedness
 2. Increasing employment of Persons with Disabilities in the County

Ms. Manriquez announced that she is no longer employed with Aloha Independent Living as of July 2, 2015.

REPORTS

- DCAB Report for March 2015 and May 2015
- ADA Coordinator's Report
 - ✓ Request from Lucy Miller requesting distribution of draft minutes of MACFEA meetings to be made within a week after meeting is held.
 - ✓ Request from Lucy Miller requesting following up on double-captioning problem with Ho'iike county related programing.

Ms. Nuland-Ames reported that she is continuing to work with the Department of Vocational Rehabilitation and the Department of Labor and Industrial Relations on funding from the Workforce Innovation and Opportunity Act which went into effect July 1st. There is funding targeted at specific groups to improve their employment. It is for people of any age with a disability, born with or acquired later, and for youth 16 to 24 who are becoming disconnected, no job and no longer in school. She said they are looking at having something similar to an apprenticeship or internship program where people who fall into these categories are placed according to their skills and interests in a temporary county job at an above minimum wage. They are looking at two tracks, one would be more professional or at a higher level administrative position, people with some IT tech, some accounting or billing background, good with excel. They would also have a position for people who are more kinetic, who like to move around and want to be outside and have things change and work with their hands. The county has mechanics and parks and recreation workers. Ms. Nuland-Ames said it was a slow process because it involves a review by a federal agency, by the Hawai'i Department of Vocational Rehabilitation, and her constantly working with people in the county and getting county attorneys to sign off. She said there is a huge amount of sorting things

out and paperwork and the Office of Economic Development is working directly with the Department of Labor to try to streamline and make uniform all the forms that are involved. Ms. Nuland-Ames said there is a coalition of state and county people who intend for this to happen and they are all working on it. Initially there will be two positions available to start things off and make adjustments as things move along. She will be speaking with a national group of people working specifically with disconnected youth who are encountering problems with getting this very good federal law into place and functioning. Ms. Nuland-Ames said the job freeze that the county is currently under does not affect this program.

Ms. Nuland-Ames said there was a request from Dr. Lucy regarding the distribution of draft minutes within a week after the meeting is held and said there is guidance under Sunshine Law and asked staff to clarify. Staff explained that under the Sunshine Law meeting minutes are to be made available within 30 days of the meeting. Ms. Ching asked if there was a specific reason that Dr. Lucy made this request because she feels it should be kept to the minimum standards of the Sunshine Law. Dr. Lucy explained that other organizations she belongs to distribute meeting minutes sooner than they do with MACFEA. Sometimes there isn't time to make agenda suggestions based on the previous meeting minutes. She said because her memory has gotten blurry the lateness of receiving the minutes becomes an issue as well. She explained that because she does miss some of the meeting even with an interpreter she would like to know what she missed so she can be an active participant. Ms. Ching said if Dr. Lucy doesn't have any strong opposition she would like to stay with the standard set by the Sunshine Law rather than adopting something more stringent, taking into consideration the workload of the Office of Boards and Commissions. Staff suggested that because MACFEA meets quarterly and they generally don't get the meeting minutes until the next meeting, it is reasonable that the draft meeting minutes, once approved by the Chair and the ADA Coordinator, are sent out to members within 30 days from when the meeting is held.

Ms. Nuland-Ames shared that in regards Dr. Lucy's request for follow up on double-captioning, Dr. Lucy sent a letter to Ho'ike. Dr. Lucy added that there were several people who sent letters and have never gotten a response. She checked this week and the double-captioning is still an issue and she is unable to watch the county activities. Ms. Nuland-Ames said that Jay Furfaro, the Administrator for the Office of Boards and Commissions contacted Ho'ike and asked them to take care of this problem. She said J Robertson's response was that he is not doing anything wrong and that people who are having a double-captioning problem need to turn off their closed-captioning. She explained to Jay Furfaro why that was not acceptable. Mr. Furfaro told J that if they didn't get this taken care of there might be some action taken against Ho'ike. Ms. Nuland-Ames explained that the county does not control Ho'ike and can't force them into compliance but people who are bothered by the double-captioning, which is a person's right to have, need to either speak to DCAB or to the FCC about this issue.

Ms. Ching asked for clarification of the statement made that Ho'ike is in compliance with the FCC to which Ms. Nuland-Ames said that their director claims they are in compliance. Ms. Ching asked if that was factually true to which Ms. Nuland-Ames said

not from her understanding but that she is not an FCC specialist and this is outside of a county operation. She has read through the regulations and the closed captioning is not usable the way it is being handled. Dr. Lucy added that they have made it inaccessible to which Ms. Nuland-Ames agreed. Ms. Ching summarized by saying that Ho'ike feels they are in compliance with the FCC but there is still the open question as to whether they really are in compliance. She said hypothetically they are open to a complaint and an investigation. Ms. Nuland-Ames said even if someone doesn't know the answer whether they are restricting access you have to decide on it legally and make the complaint and have it investigated. She added that the committee can't do that because the committee is about Kaua'i government. Ms. Ching agreed and said it doesn't preclude Dr. Lucy as an individual from making a complaint.

Dr. Lucy asked to give the DCAB report, saying there was an annual planning meeting last Thursday where they gave a recap of many of the things the committee has received reports on such as laws that were passed and bills that were signed. She reported that at the end of the month on O'ahu, they will start a program called Smart 911. If you have a mobile phone and you sign up with Smart 911, give them your information and what your disability or special need is, they put it in their database and wherever you are, if you dial 911 from your smart phone it shows up on their screen and their response time will be quicker and much more specific. She said hopefully by the end of the calendar year the outer islands will have access to Smart 911.

Ms. Sheffield asked Dr. Lucy for clarification of a statement in the March 2015 DCAB report regarding the state working on insurance coverage for hearing aids, was it for ordinary hearing impaired, the elderly and will Medicare be forced to pay for those here in Hawai'i. Dr. Lucy responded that Hawai'i does not have coverage yet but there was legislation that didn't pass and will be put back on for the next legislative session.

- Updates / Announcements

Ms. Ching reported that Easter Seals Hawai'i had initially started out with two employment programs, one is called Evaluation and Training and the second one is called Vocational Adjustment or VWATS. VWATS is in its second year and Evaluation and Training is in its first year. They have added two more employment services, one is called Supported Employment which is to place people in jobs and provide job coaching and ongoing support, and Job Placement and Retention. She said there are now four lines to support services to place people in employment. Ms. Ching said they are very pleased and it is a big push for Easter Seals Hawai'i to expand employment in the State of Hawai'i. She said Hawai'i is last in the nation for employing people with disabilities. Ms. Ching shared that today is the celebration of the ADA 25th Anniversary. She also shared that during the legislative session there were some important things that were passed, one of them was the Able Bill which allows people to earn income and not lose their government benefits like Medicaid. She said Hawai'i still has to enact regulations but it mimics the federal Able legislation and removes a big stumbling block for people to become employed. The second bill that was passed was mandating insurance coverage for kids with autism to receive services under their health insurance. Ms. Ching said these are two big pieces of legislation that will bring a lot of support and

services to all of the families in our state and this community. Ms. Ching went on to say that a lot of services for autistic kids are evidence based and the earlier they are diagnosed and the earlier they get services really makes a big difference in their lives and their ability to have a full and rewarding life. This bill makes services available to kids from a very early age. She said up to now people had to wait until the kids entered school and were deemed eligible by DOE so potentially at age 3 or 5, which is really missing a big window of opportunity for these kids. Ms. Ching said this bill has been in legislation for the past 3 years and they have finally passed it which is a huge victory. Nationally, approximately 36 states have passed bills to mandate coverage by insurance. She said as she understands it, nationally, if they reach the number 42, there are commitments to make it part of the Affordable Care Act.

Ms. Sheffield shared that she was recently at the NAMI National Convention in San Francisco and found out that Dr. Keith Claypool is leaving the area. He is the forensic psychologist who is in court practically every day trying to get jail diversion for the people who are chronically mentally ill and could benefit from treatment rather than jail. Also the State Department of Mental Health in Hawai'i has been without a director for over two years. They are also short on social workers and psychologists. She said we are in dire straits and she doesn't know who to go to, to get help with this issue because if 1 in 4 people have a mental illness, which is a very recent statistic, that Kaua'i is really lacking in care for these people. She asked members if anyone had any ideas regarding who she could go to with this issue. Ms. Sheffield said they need to get going because they are the only body that will serve schizophrenics; no other private psychiatrist will treat schizophrenics. Ms. Manriquez suggested to Ms. Sheffield that she contact the State Department of Health. She then announced that the Neuro Trauma Advisory Board is going to be holding a conference in October and she will be attending.

Action: Ms. Bell moved to adjourn the meeting at 1:20 p.m. Ms. Ching seconded the motion. Motion carried 7:0.

The next meeting will be on Tuesday, October 20, 2015 at 12:30 p.m., Mo'ikeha Building, Meeting Room 2A/2B.

Respectfully submitted by: _____
Lani Agoot, Administrative Specialist

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