



Santa Cruz County Commission on Disabilities

701 Ocean Street, Room 510, Santa Cruz, CA 95060
P: (831) 454-2772 F: (831) 454-2411 TTY/TDD 711
commissions@santacruzcounty.us
www.scccod.net

Notice of Public Meeting and Agenda

DATE: Thursday August 11, 2022

TIME: 12:30 PM to 2:00 PM

IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY AND PURSUANT TO THE PROVISIONS OF AB 361 AND CAL. GOV. CODE 54953, THIS WILL BE A REMOTE MEETING. NO PHYSICAL LOCATION WILL BE AVAILABLE, BUT ACCESS TO THE MEETING AND AN OPPORTUNITY TO COMMENT WILL BE PROVIDED.

VIDEO CONFERENCE INFORMATION

TO JOIN BY VIDEO: <https://zoom.us/join>

OR TO JOIN BY PHONE: +1 (669) 219-2599 (dial *6 to mute/unmute, dial *9 to raise your hand)

Meeting ID: 495-687-4858

Passcode: 192244

AGENDA

1. Call to Order
2. Roll Call
3. Agenda Review
4. Approve *June 9, 2022 Minutes*
5. Public Comment: *Any person may address the Commission for a period not to exceed five minutes on any issue within the jurisdiction of the Commission.*
6. New/Continuing Business/Action Items:
 - 6.1. Reduction of Premiums for DHCS Working Disabled Program
 - 6.2. Consider 2022 Legislative Priorities
 - 6.3. County Accessibility Standards for Electronic Documents
 - 6.4. Consider Assembly Bill 361 Statement of Findings
7. Commission Reports
 - 7.1. History Report
 - 7.1.1. Commission History Project
8. Ad Hoc Subcommittee Reports
 - 8.1. Recreation Subcommittee
9. Staff Report
10. Emerging Matters
11. Adjournment

Next Regular Meeting: Thursday, September 8, 2022 from 12:30 – 2:00 PM

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. If you have a disability and require assistance to participate, please contact 454-2772 or TDD/711 at least 72 hours in advance to make arrangements.



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Meeting Minutes

DATE: Thursday, June 9, 2022
TIME: 12:30 PM to 2:00 PM
LOCATION: Remote Meeting
PRESENT: John Daugherty (*1st District*), Stacie Grijalva (*2nd District*), Fay Levinson (*2nd District*), Becky Taylor (*3rd District*), Richard Gubash (*3rd District*), Brenda Gutierrez Baeza (*Vice Chair - 4th District*), Michael Leimbach (*4th District*), David Molina (*Chair - 5th District*), Lynn Stipes (*5th District*)
EXCUSED: None
ABSENT: None
STAFF: Kaite McGrew (*Commissions Manager*)
GUESTS: Brian Buhrow (*National Federation of the Blind - California Board Member*) and John Heylin were present.

1. Call to Order
Meeting convened at 12:32 PM.
2. Roll Call
3. Agenda Review
4. Approve May 11, 2022 Minutes
Motion to Approve Minutes as written
Motion/Second: Molina/Daugherty
Motion passed unanimously.
5. Public Comment
Stipes arrived.
6. New/Continuing Business:
 - 6.1. Access Technology Affordability Act Overview (H.R. 431/S. 212)
Buhrow summarized elements of these bills providing a tax refund for people who purchase non-medical, access technology (e.g., screen readers, magnification technology, equipment designed to address learning or cognitive disabilities, etc.). The Senate's Access Board will determine allowable technologies. State legislators Panetta, Eschew, Feinstein, and Padilla all co-sponsored the legislation. Commission discussed allowable limits and eligibility. Buhrow emphasized the absence of a means-based test associated with eligibility for these tax refunds to minimize barriers. Legislative Priorities Subcommittee will consider this information and bring their recommendation back to a future meeting.

6.2. Consider Voter Accessibility Committee Representation

Molina appointed Levinson to represent the Commission on the County's Voter Accessibility Committee. Other members the Commission's subcommittee will attend in her place when she is unable to attend.

Gutierrez-Baeza left the meeting.

Gubash left the meeting.

6.3. Consider Condolences for Robert Ludlow

As an attorney, Ludlow advocated for accessibility and disability rights.

Motion authorizing Daugherty, Molina, and Staff to send a letter of condolence to Mr. Ludlow's family pending the availability of contact information.

Motion/Second: Molina/Leimbach

Motion passed unanimously.

6.4. Assembly Bill 361 Statement of Findings

Motion to approve statement of findings authorizing the Commission to hold their next meeting remotely if allowable under the provisions of AB 361

Motion/Second: Molina/Leimbach

Motion passed unanimously.

7. Commission Reports:

7.1. History Report:

7.1.1. Commission History Project:

Daugherty reported that a recent screening of Crip Camp further solidified the importance of compiling a Commission history. Staff will continue to work with the VIP program to obtain an intern.

8. Ad Hoc Subcommittee Updates:

8.1. Recreation Subcommittee

Staff reported that Simpkins has hired a swim instructor qualified to work with students who have adaptive swim needs. It is unclear how prospective students will differentiate between instructors. Staff will continue to work with Simpkins to obtain additional information.

8.2. Legislation Subcommittee: No Report

9. Staff Report

Staff reported that quantitative and qualitative *Diversity, Equity, and Inclusion Employee Survey* data analysis has been completed and aggregate results will be shared at a future meeting.

10. Emerging Matters:

Commission congratulated Stipes on her retirement. Commissioners were invited to consult with Mr. Heylin (son of former Commissioner and disability rights advocate Peter Heylin) regarding outreach and community engagement for disability advisory bodies.

11. Adjournment

Meeting adjourned at 1:39 PM.

Submitted by: Kaite McGrew, *Commissions Manager*

CA or FED	Bill	Summary	Status	Link	Lead/Research
CA	AB1663	<p>The Probate Conservatorship Reform and Supported Decision-Making Act</p> <p>Disabled people and older adults are often forced into conservatorships, a system that takes away their basic civil rights and ability to make decisions for themselves. AB 1663 helps people keep choice and control over their lives. It would create laws so people with disabilities and older adults can get support from people they trust, and not be forced into unnecessary conservatorships. AB 1663 would also change the laws about probate code conservatorships to make sure that people under conservatorship have a voice in the decisions made for them. It would also make it easier for people to get out of conservatorships when the conservatorship is no longer necessary.</p>	<p>Active Bill - In Committee Process. Introduced on 01/19/2022. Referred to Committee on JUD.</p> <p>04/06/2022: Referred to suspense file, first hearing has been set to determine fiscal impact on the State budget.</p> <p>8/2/2022: Back in Appropriations Suspense File awaiting review</p>	<p>https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1663</p>	David M.
CA	SB1092	<p>Equitable Access to Services</p> <p>When a person with I/DD and their regional center disagree about the type or amount of a service they should get, the law provides a process for resolving that disagreement called a “fair hearing.” In fair hearings, disputes are supposed to be heard and decided by a hearing officer who is fair and knowledgeable about the system and the law. The hearing officer is also supposed to conduct the hearing in a manner that is informal and accessible to those who cannot afford to hire a lawyer to represent them. However, that has not been the experience of many people served by regional centers, especially people of color. Even the Department of Developmental Services has described the current fair hearing system as “cumbersome, difficult to navigate, and intimidating,” particularly for Latinx communities. SB 1092 aims to ensure that people served by regional centers can meaningfully participate in decisions about the services they receive, and in hearings about those services - regardless of their race, ethnicity, English proficiency, or ability to afford legal counsel.</p>	<p>Active Bill - In Committee Process. Referred to Committees on Human Services and Judiciary</p> <p>4/5/2022: Set for hearing April 26 in JUD. pending receipt.</p> <p>8/3/2022: First hearing 8/3, placed in suspense file awaiting review</p>	<p>https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1092</p>	David M.

CA or FED	Bill	Summary	Status	Link	Lead/ Research
CA	AB2394	<p>California Long-Term Services and Support Advisory Board</p> <p>Establishes the California Long Term Services and Supports (LTSS) Benefits Board. The board would manage and invest revenue deposited in the California Long Term Services and Supports Benefits Trust Fund. The LTSS benefits trust fund will ensure that people have the necessary services and supports to age well.</p>	<p>Active Bill - In Committee Process. Introduced on 2/17/2022. Referred to Committees on Aging & LTC and Human Services</p> <p>3/3/2022: Still in committees mentioned above</p>	<p>https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2394</p>	Kaite M
CA	AB2511	<p>Skilled Nursing Facilities: Back-Up Electrical Supply ASM Irwin</p> <p>This measure would require a skilled nursing facility to have an alternative source of power in case of an electrical power shut off or an emergency.</p>	<p>Active Bill - in committee process - may be heard in committee on March 20th.</p> <p>3/28/2022: still in Com on Health</p> <p>6/27/2022: In Committee - referred to Suspense File awaiting review</p>	<p>https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2511</p>	Kaite M
CA	AB1900	<p>Medi-Cal Income Level Maintenance</p> <p>The Medi-Cal share of cost program extends Medi-Cal eligibility to low-income older adults and people with disabilities who have significant health care needs but are just above the free Medi-Cal income limit. The problem is that right now California's share of cost program only allows an individual to maintain \$600/ mo. to meet monthly expenses. They must pay the rest of their income towards their health care to become eligible for Medi-Cal. This \$600 is called the "maintenance need income level" and hasn't changed since 1989. AB 1900 would raise the maintenance need income level to 138% of the federal poverty level even w/ the current income eligibility limit for free Medi-Cal.</p>	<p>Active Bill - In Committee Process. Introduced on 2/9/2022. Referred to Committee on Health.</p> <p>04/06/2022: Referred to suspense file, first hearing has been set to determine fiscal impact on the State budget.</p> <p>6/27/2022: In Appropriations Committee and referred to Suspense File awaiting review</p>	<p>https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1900</p>	Staci G.

CA or FED	Bill	Summary	Status	Link	Lead/ Research
CA	AB2077	<p>Personal Needs Allowance ASM Calderon This bill would increase the monthly maintenance amount for personal and incidental needs from \$35 to \$50, and would specify that the cost of this benefit would be supplemented by federal funds, to the extent they are available.</p>	<p>Active Bill - Introduced 2/14/2022 - Referred to the Committee on Health - May be heard in committee on March 17th 04/06/2022: referred to suspense file, first hearing set. 5/26/2022: read for the 1st time in Senate 6/1/2022: ref to Com. on Health 6/9/2022: passed and referred to Appr. Com 6/20/2022: referred to suspense file awaiting review</p>	<p>https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2077</p>	Staci G.

CA or FED	Bill	Summary	Status	Link	Lead/ Research
Fed	H.R 431/ S 212	<p>Access Technology Affordability Act (H.R. 431/S. 212) A bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind; to the Committee on Ways and Means. This bill allows a refundable tax credit equal to the amounts paid for qualified access technology for use by a blind individual who is the taxpayer, the taxpayer's spouse, or a dependent of the taxpayer. Qualified access technology is hardware, software, or other information technology with the primary function of converting or adapting information that is visually represented into forms or formats useable by blind individuals.</p> <p>The credit is limited to (1) costs that are not compensated by insurance or otherwise, and (2) an aggregate amount of \$2,000 per blind individual in any period of three consecutive taxable years. The credit must be adjusted for inflation after 2021 and terminates after 2026</p>	<p>Active Bill but languishing since early 2021</p> <p>1/21/2021: Introduced in House - referred to Committee on Ways and Means</p> <p>2/3/2021: Introduced in Senate - referred to Committee on Finance</p>	<p>https://www.congress.gov/bill/117th-congress/house-bill/431/actions</p> <p>https://www.congress.gov/bill/117th-congress/senate-bill/212?r=1&s=1</p>	Staci G.



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SANTA CRUZ COUNTY COMMISSION ON DISABILITIES' FINDINGS PURSUANT TO ASSEMBLY BILL 361 AUTHORIZING TELECONFERENCE MEETINGS AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY AND HEALTH OFFICER RECOMMENDATION FOR SOCIAL DISTANCING

WHEREAS, The Santa Cruz County Commission on Disabilities is a legislative body under the Brown Act as defined under Cal. Gov. Code section 54952(b) and Santa Cruz County Code Section 2.38.110; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (“AB 361”), urgency legislation effective immediately, that amended Government Code section 54953 to permit legislative bodies subject to the Brown Act to continue to meet under modified teleconferencing rules provided that they comply with specific requirements set forth in the statute; and,

WHEREAS, pursuant to AB 361 and Cal. Gov. Code section 54953(e)(1)(A), a legislative body may meet under the modified teleconferencing rules during a proclaimed state of emergency, and where local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, and which remains in effect; and

WHEREAS, on September 30, 2021, Santa Cruz County Public Health Officer Dr. Gail Newel strongly recommended that legislative bodies in Santa Cruz County continue to engage in physical/social distancing by meeting via teleconference as allowed by AB 361 and confirmed that she will regularly review and reconsider this recommendation and notify the public when it is no longer recommended; and

WHEREAS, pursuant to AB 361 and Cal. Gov. Code section 54953(e)(3), within 30 days of the date the legislative body first holding a teleconferenced meeting under the modified rules, and every 30 days thereafter, a legislative body can continue to hold such teleconference meetings provided it has reconsidered the circumstances of the state of emergency and determined either that the state of emergency continues to directly impact the ability of the members to meet safely in person or that local officials continue to recommend measures to promote social distancing; and

WHEREAS, on August 11, 2022, The Santa Cruz County Commission on Disabilities held a teleconference meeting under AB 361; and

WHEREAS, this Santa Cruz County Commission on Disabilities has reconsidered the circumstances of the current state of emergency and finds that the COVID-19 pandemic continues to directly impact the ability of members of the public to participate safely in person and further finds that the Santa Cruz County Public Health Officer continues to recommend measures to promote social distancing; and

WHEREAS, in the interest of public health and safety, and due to the emergency caused by the spread of COVID-19, the Santa Cruz County Commission on Disabilities deems it necessary to utilize the modified teleconferencing rules set forth in AB 361;

NOW, THEREFORE, the Santa Cruz County Commission on Disabilities makes the following findings by a majority vote:

Section 1. The foregoing recitals are true and correct, and adopted as findings of the Santa Cruz County Commission on Disabilities.

Section 2. Effective immediately, and for the next 30 days, the Santa Cruz County Commission on Disabilities will meet via teleconference as authorized under AB 361 and Government Code section 54953(e)(3).

Section 3. No later than thirty (30) days from making today’s findings, or at the next scheduled meeting, the Commission will reconsider the circumstances of the COVID-19 state of emergency and, if necessary, adopt subsequent findings to continue holding teleconference meetings in accordance with Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Santa Cruz County Commission on Disabilities in Santa Cruz, State of California, this 11th day of August, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Molina
Chair, Santa Cruz County Commission on Disabilities

ATTEST: _____
Department Staff

Approved as to Form:

Office of the County Counsel



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Scheduled Meetings

Unless otherwise specified below, regularly scheduled Commission on Disability meetings are generally held as follows:

DAY: Second (2nd) Thursday*
MONTH: Every month except July and December
TIME: 12:30 PM – 2:00 PM
LOCATION: Santa Cruz County Building, Fifth Floor - Redwood Conference Room
701 Ocean Street, Santa Cruz, CA 95060 **unless held remotely**

***Unless noted otherwise below**

Changes to the schedule, including special meetings, changes of location, or meeting cancellations, will be listed on the website at www.scccod.net as soon as information becomes available.

2022 MEETING DATES		
DATE	TIME	LOCATION
January 13, 2022	12:30 – 2:00 PM	Remote
February 10, 2022	12:30 – 2:00 PM	Remote
March 10, 2022	12:30 – 2:00 PM	Remote
April 14, 2022	12:30 – 2:00 PM	Remote
May 12, 2022	12:30 – 2:00 PM	Remote
June 9, 2022	12:30 – 2:00 PM	Remote
August 11, 2022	12:30 – 2:00 PM	Remote
September 8, 2022	12:30 – 2:00 PM	To Be Determined
October 13, 2022	12:30 – 2:00 PM	To Be Determined
November 10, 2022	12:30 – 2:00 PM	To Be Determined