

Governor's Council on Spinal and Head Injury

Council Meeting

June 29, 2010

1:00 pm

Disability Empowerment Center

5025 E. Washington Street, Suite #110

Phoenix, AZ 85034

Meeting Minutes

Participants: Bryan Longie,

Guests/Staff: Pat Harrington, Paul Mortenson, Ann Tarpy, Lisette Camacho, Aurora Gonzales, Diane Fuller, Ryan Harper, Chris Dupont, Lisa Counters

Teleconference: Javier Cardenas, Tim Flood, Katherine Levandowsky, Pat Padilla, Sydney Rice, Paula Seanez, Christine Vergara, Mark Darmer, Greg Lewis, Sandy Meyers

Chairperson: Sharon Phillips

1. Introductions

Ms. Phillips welcomed Council members and guests. Participants were asked to introduce themselves. She then welcomed new Council staff members Lisette Camacho the Business Manager and Aurora Gonzales, our Administrative Assistant.

2. Review, Discuss, and vote on proposed Council Budget for SFY 2011

Sharon Phillips turned the floor over to Council staff to begin the discussion on the 2011 budget. Prior to the budget discussion, Ms. Tarpy asked Pat Harrington and Mark Darmer if they had any comments to share with the Council members. Mark Darmer noted that the Council appropriation for 2011 continues many of the appropriation reductions incurred during the previous fiscal years (2009 & 2010). He also confirmed that the footnote had been removed. The footnote provided an avenue to the Department to forward a request to the Joint Legislative Budget Committee (JLBC) allowing the Council to spend fund balances in excess of the appropriation. Unfortunately, without the footnote, in order to access any excess fund balance, the Department would have to go through a much more formalized process of submitting a justification package to the JLBC called the "Supplemental Appropriation Request". This process can place the issue of fund balances under further legislative scrutiny and in view of the legislature if they have any need of funds to reduce anticipated state deficits. If the Council is interested in having the Department pursue the Supplemental Appropriation Request process, it would be important for Mr. Harrington and Mr. Darmer to know as soon as possible. Mr. Harrington stressed this would be a very delicate discussion with Department leadership. This is something the Governor's office would decide.

The removal of the footnote was done through JLBC, not at the request of the Department. Mr. Darmer stated he was in the process of determining why the JLBC has removed this capability. He will pass the information on to Council staff once it is obtained. Pat Harrington stated the footnote is unlikely to return.

Ms. Tarpay inquired about the susceptibility of funds that might be accumulated above the appropriation (excess balance) to legislative sweeps this fiscal year. Mr. Harrington stated that any amount above the appropriation is likely to be swept. Also, it's entirely possible that the amount appropriated could be reduced.

Ann Tarpay stated that at one point there was a discussion that the appropriated amount for SFY '10 or SFY '11 might become permanent. Mr. Darmer indicated he anticipates that going forward from here the budget will stay fairly level at the 2011 appropriated amount. He doesn't see any adjustments forthcoming from that level. Kathy Levandowsky added that at this time we cannot say that there won't be further budget cuts.

Mr. Darmer added most of the state is waiting to see what will happen in the elections in November this year. There are several special ballot measures which could have a substantial impact on DES, depending on their outcome. One of those measures is to repeal the First things First Initiative. There are approximately 40-50 million dollars in funding that DES will lose if that ballot measure fails. This may potentially impact the Council budget again depending on what the legislature decides to do.

Kathy Levandowsky has some concerns if additional cuts are needed that the following scenario may be possible: the legislature, anticipating the Trust Fund will accumulate a certain amount over the year, may take the cuts early on because they anticipate that the funds will accumulate. Something like this may put the appropriated amount in jeopardy for the time being until more money is accumulated in the fund. Mr. Darmer does not foresee this happening, at least not until mid to late January at the earliest. He also does not foresee the Legislature coming back into a special session. So it wouldn't be until mid to late January 2011 before the Legislature would do any additional budget work for SFY2011.

Kathy Levandowsky is also concerned that if the legislature does come back in January, decides to take additional money, and we do not have enough in the Trust Fund, we would potentially need to amend the contracts again. At that point, the rates may need to be reduced or we'd need to find something to supplement until money is available in the Fund. Ms. Levandowsky wants the Council to be aware that it's hard to tell what will happen if the voting on First Things first doesn't go through.

Ms. Tarpay provided an update on the Spinal and Head Injury Fund (SHIF). Based on SHIF income in 2010, the Council is projecting the SFY 2011 SHIF income will be approximately \$2.6 million. There were several months in 2010 where the monthly income was unusually high. Ms. Tarpay had contacted the Chief Financial Officer at the Arizona Supreme Court to inquire about their projections for 2011. He manages Criminal Justice Enhancement Fund (CJEF). The CJEF and our fund (Medical Services Enhancement Fund) receive monies from surcharges so what happens to them, happens to us with only the percentages being different. He advised that their budget analyst did not expect to see monthly income at or near the highs of the last few months of SFY 2010. They expected that we will see a stop in the decline we saw most of last year and projected revenues for their fund to be flat for SFY 2010. Pat

Harrington adds, by "Flat", it sounds like they've taken into account recent, higher than usual months. Council staff will continue to monitor the SHIF income. They will schedule a meeting with the Supreme Court once Ms. Camacho has returned from Family Medical Leave in November 2010.

Proposed 2011 budget:

Before reviewing and approving the proposed budget for SFY2011, there needed to be a delayed vote on the budget for SFY 2010. There were multiple factors that postponed the vote at the February 2010 Council meeting: further budget reductions were anticipated that might necessitate reductions in Council contracts; uncertainty about the amount of the projected shortfall in the SHIF. A copy of the SFY 2010 budget was sent to the Council members for review prior to the meeting. Lisette Camacho reviewed the budget. Before voting, Dr. Flood clarified that the budget does not reflect actual expenditures but rather budgeted/appropriated figures.

Motion and Vote:

- ◆ Sharron Phillips called for a motion to approve the FY 2010 budget. Paula Seanez so moved; Bryan Longie seconded the motion. All signaled aye. Motion carried.

2011 Budget

The proposed Council budget for SFY 2011 had been sent to the Council members for their review prior to the meeting. Ms. Camacho reviewed the budget. In years prior to the budget reductions that began in SFY 2009, the appropriation for the line item for the Council programs that includes the contracts with the Associations, the match for the grant, and the allocation to the RSA Independent Living Rehabilitation Services Program has been \$1,707,700. The budget reduction in this fiscal year has reduced this line item to \$1,123,400. To accommodate for the reduction, the Council is recommending a 10% reduction in the allocation to ILRS and to the contracts with the Brain Injury Association of AZ and the Az Spinal Cord Injury Association. Other Council programs will take a 13% cut. Ann Tarpay advised that the VR appropriation of \$204,700 remains the same.

Paula Seanez inquired about the percentage of match that is required for the federal grant. Council staff confirmed the 3:1 ratio or 33.33%.

Motion and Vote:

- ◆ Sharon Phillips called for a motion to approve the FY 2011 budget. Bryan Longie so moved; Greg seconded the motion. All signaled aye. The motion carried.

Looking ahead, Ms. Tarpay advised that based on information available at this time, it appears the Council will be looking at the same appropriation for SFY 2012. Of course, everything is subject to change. It is not likely that the Council's appropriation will return to the previous 2.5 million.

3. Review and approve minutes from previous meeting

The minutes were sent to Council members prior to the meeting for review. There was a correction on page 5.

Motion and vote:

Sharon Phillips called for a motion to approve the minutes with corrections. Robert Bohm so moved; Dr. Cardenas seconded the motion. Motion carried.

Meeting notes stand as approved once corrections are made to page 5.

4. Council Chair Updates

Ms. Phillips had nothing new to report.

5. Council Office Updates

Federal TBI grant: Ann Tarpy informed everyone that the continuation application for Year 2 of the grant was submitted and approved. The grant year is 4/01 – 3/31. Progress was made in Year 1, especially in the military-related objectives. Many new things are set in motion now for both target populations (youth and military). At the strategic planning retreat, the Council will be reporting on all of the exciting things that have been and will be going on with the grant.

Council office move: The move of the Council office to Central Office (1789 W. Jefferson) was completed successfully the end of February 2010. Staff is settled in. Ms. Tarpy thanked Kathy Levandowsky and Central Office RSA staff for their warm welcome. Ann Tarpy wanted to thank Council staff Joan Kinney for her excellent coordination of the move and Barbara Ciesielski for her hard work.

Council Strategic Planning Retreat: Council members are welcome to offer topics that they would like brought up at the strategic planning retreat on October 1st, 2010. Ann Tarpy and Sharon Phillips will add them to the agenda as time allows. Ms. Tarpy discussed that as the Council meetings over the past year have had to focus on the impact of the budget reductions and sweeps of the SHIF on the Council and the Council budget, there hasn't been time to report on and discuss the significant and excellent work being done with Council funds. The Council retreat will provide an opportunity for reports from the Associations, the RSA Programs (VR and ILRS) and the federal TBI grant and discuss how much is able to be done in spite of budget challenges. We are proud of the great work being done by Council members and programs and want it to be shared. The Retreat will be here at the Disability Empowerment Center in the training center. Ms. Tarpy is still working on the time frame but it will be a one day meeting.

Updates on former Council staff and members: Ms. Tarpy shared some sad news about former Council staff and Council members:

Kathy Papsun, our Administrative Assistant for over 15 years, lost her husband to cancer in early June.

Gary VenJohn, a previous Council member and Council Chair recently lost his brother at an early age.

Bill Scott, another former Council member, suffered a severe stroke and is currently at St. Joseph's Hospital and Medical Center in step-down ICU and is starting rehab services.

6. Council member announcements and updates

- ◆ Bryan Longie shared that since the last meeting he has been volunteering two days per week at the Phoenix Indian Medical Center in the Social Services Department. He sees about 4-5 clients per day. While there, he has observed several accessibility issues and provided recommendations to the CEO of the Medical Center. They now have formed a committee of various department heads to address these and any other accessibility concerns in the Medical Center. Currently the CEO is pulling together funds to make the recommended changes to the Center.
- ◆ Paula Seanez is in the process of responding to an RFP from the American Indian Vocational Rehabilitation Program for a new five year grant. She will be submitting the grant application on August 15th. Ms. Seanez indicated she would like to partner more closely with the Council over the next five years. Her organization has co-sponsored the BIAAZ survivor and family conferences but would like to do more in the area of veterans and youth transition. Ms. Tarcy stated the Council would be more than happy to share grant information as well as the progress being made on Council goals and objectives. Ms. Seanez indicated that she will be requesting letters of support from RSA and the Council.

Pat Harrington added that in the employment part of their Division (DERS), there are two veteran employment programs: the local veteran employment representative and the disabled veteran outreach program. He stated he and staff would be happy to work with Paula Seanez however would be helpful. These programs receive money through the Department of Labor and provide a tremendous service to veterans in all aspects of employment. DERS tries to partner with other veteran organizations to make sure individuals are getting the services they need. If there is a way that the two organizations can work together and come up with something better on the other end, he and his staff would be happy to do that. Pat Harrington referred Paula Seanez to Peggy Feenan, Deputy Employment Administrator, as she handles the employment services which include those veteran programs.

- ◆ Kathy Levandowsky would like to let the Council know that the VR Program is still in an Order of Selection. There is still a waitlist with all three priority categories closed. Currently there are about 2,900 individuals on the waiting list with 1,000 in priority 1 and approx 1,000 in priority 2 and the remainder in priority 3. They are gradually taking people off the priority 1 waitlist and we are only a few months behind. Ann Tarcy mentioned the "Five in Five" campaign to highlight the closures and the work that's being done. Kathy Levandowsky further explained the details of the "Five in Five" campaign in which every counselor is asked, over the next five months up through September 30th, to get five successful closures. That's only 1 per month per counselor. This will help meet the goal and meet the federal requirements.

Ann Tarcy added that most of the survivors of TBI and/or SCI would fall into Priority so they are in the targeted group of those taken off of the waitlist.

Definition of categories: Priority category 1 - most significantly disabled; 2 - significantly disabled; and 3 - everyone else.

- ◆ Kathy Levandowsky and Ann Tarpay are working with a small group in RSA to review and update the current Memorandum of Understanding (MOU) between the Council and RSA regarding VR TBI Specialist Program. Once the language is finalized in draft form, it will be brought to the Council for review as the Council Chair will need to sign it. A draft should be able to be completed by October for review at the retreat. The TBI Specialist have been very involved in the process and have provided good feedback to make sure that the TBI Specialist Program reflects the current reality. Ms. Levandowsky discussed that there is a small number of TBI Specialists who work with individuals with TBI now. She would like other counselors to be trained and to specialized in TBI so that no matter where clients are in the state, they will have someone that understands TBI issues. Ann Tarpay added that the Council certainly supports the goal to expand the number of TBI trained counselors serving those with significant TBI to become employed.

7. Next Meeting Date

The Strategic Planning Retreat will be Friday, October 1 at the Disability Empowerment Center (DEC). Teleconferencing will not be available for this all day meeting.

8. Call to the Public

Ms. Phillips offered a Call to the Public.

- ◆ Mr. Mortensen reported the AzSCIA met with the Christopher and Dana Reeve Foundation on June 24th and 25th, 2010. During the meeting they discussed peer mentoring, training, curriculum, etc. The Foundation would like to take the AzSCIA Peer Mentoring Program to a national level. The Foundation would like AzSCIA to train individuals nationally to be a certified peer mentors through the Christopher & Dana Reeves Foundation. Mr. Mortensen feels this is a feather in the cap for the Council as they participated in developing the peer mentoring program.
- ◆ A representative from BIAAZ announced that the Association was having their 2nd annual Bowl for Brain Injury in September to raise money. You don't have to bowl and anyone can sponsor a team or be a virtual bowler.

9. Adjournment

Ms. Phillips called for a motion to adjourn.

Motion and vote:

Paula Seanez so moved, Bryan Longie seconded the motion, all signaled aye, No opposition. Meeting was adjourned.

Ms. Phillips and Ms. Tarpay thanked everyone for taking the time to participate in the meeting today.