

Dear Members,

Dominic Cotton is unable to attend today's meeting, but wanted to share the following:

Dear Rep. Abercrombie, Rep Miner , and Members of the ABI Waiver Advisory Committee,

I wanted to take the opportunity to detail how the advisory committee became an entity and the legislative intent behind how the group was written into PA 14-150. My intent is to add some clarity and ensure that the committee moves in a positive direction and is an open forum to discuss issues that arise in both waivers.

The Waiver committee was the idea of Senator Slossberg the chair of Human Services the previous legislative session. She suggest it to me as a means for getting proper information and input into the ABI waiver program. She felt that if this committee was attached to the legislature then the Department of Social Services would have to respond to requests. She watch as our community struggled for months to obtain participation in a process that we were seemingly locked out from. We had several discussions within our group of advocates, and all felt this was an important opportunity for us to participate in.

On the day of the public hearings, and after many top level meetings with Lt. Governor Wyman, Commissioner Bremby, and many legislators, we presented our case as to why the 150% cost cap wasn't going to work for people on the Nursing home level of care who needed 24hr care. The public hearing grew very contentious and I was approached by Senator Slossberg to see if we could come up with amendments that would make the program change more palatable to the Brain Injury Waiver Community. The portion of this process we were unaware of was the litigation against DMHAS over the warehousing of persons in Nursing Homes. The ABI waiver II legislation was meant to address that need as well as providing cost savings to the state.

In the negotiations we asked the waiver advisory committee be placed into legislation. I was given assurances from Senator Slossberg, and then DMHAS commissioner Patricia Rehmer that this advisory committee would have the ability to address issues that arose with in the Waivers as well as ensure that the 150% funding level continued to be focused on. That is why in the language of the bill there is the section that states, " any other matter the committee deems appropriate". The legislative intent was to give the committee opportunities to discuss issues on both waivers.

In the last public hearing on August 11th in which the Prevocational Service amendments were passed, Senator Bye stated that the ABI waiver advisory committee would overview the implementation process of the Prevocational Services program change.

After much discussion with many legislators, Our community believes that clarity needs to be brought to this Waiver Committee in order to ensure proper implementation and oversight to

both ABI waiver I & II, as the prevocational services oversight is mainly ABI waiver I. Additionally, I think that this venue would be an important place to discuss upcoming changes to either waiver, so some level of consensus can be formed prior to the public hearing. Essentially we are asking for a seat at the table during decision time.

Thank you all for you time and talent.

Sincerely,
Dominic M. Cotton, MHA