

## Wheelchair Repair Task Force

### MEETING MINUTES

Thursday, January 18<sup>th</sup>, 2024

9:00 AM in Room 1A of the LOB and Zoom and YouTube Live

The meeting was called to order at 9:04 AM by Chairman, Beverley Brakeman.

The following task force members were present:

Members: Beverley Brakeman, Sen. Seminara L. S08, Rep. Case, J. 63, Rep. Smith, F. 118, David Morgana, Jonathan Sigworth, Sheldon Toubman, Wayne Grau, Diane Racicot, Jon Slifka, Ginny Mahoney, Barbara Cass, Jim Carson, Susan Halpin, Diane Racicot, Seth Johnson, John Lee Goetz, Shirley Skyers-Thomas, Melissa Marshall

Absent were: Rick Famiglietti, Michelle Duprey, Jim Carson, Joseph Shortt, Darrell Ruopp, Gary Gilberti

Guests:

#### **Opening Remarks**

Chair Brakeman welcomes everyone to the meeting.

#### **Approval of Minutes – December 14<sup>th</sup>, 2023**

Chair Brakeman asks for a motion to approve the November 30<sup>th</sup> minutes, Sen. Seminara makes the motion and is seconded by Jonathan Sigworth. The minutes are approved.

#### **Discussion of Final Report**

Chair Brakeman states that she asked the group to get back any feedback on the final report by the 23<sup>rd</sup>. She states she wants input from each group (advocates, insurance, providers, etc.).

Chair Brakeman states that everyone in the group agrees there is a problem and that the goal is to

reduce wait time, the issue is finding consensus on how to get there. She states the next step is a final meeting where there is unanimous consent on the actual report.

Jonathan states a big issue the advocates found missing was the number of staff being identified as a core cause of the delays, rather than the number of in-home repairs, prior authorization, or specialty repairs.

Chair Brakeman states she appreciates any feedback regarding staffing, but that she was struggling to figure out where the Task Force was on data.

Sheldon suggests regarding the staffing issue, the Task Force should take the industry's own data to answer the issue. Sheldon agrees with Jonathan's sentiment that staffing is a bigger issue than the insurance and specialized parts issue.

Jonathan acknowledges the industry adding new technicians and asks for the timeline for that. Wayne says the industry is reviewing the report and will submit all written comments by the deadline.

Jonathan wants the report to clarify how many companies NuMotion and NSM have acquired and wants the legislators to recognize the strength of the industry to adjust to the recommendations.

Chair Brakeman asks why the acquisition aspect is important to Jonathan. He states that during the last session of public hearings, small business repair shops stated that they would be squeezed out of Connecticut with any additional regulation. Jonathan believes this is a misinterpretation of the reality, and that small businesses could be created here and that the industry has bought up competitors in recent years.

Jonathan states the consumers want less than 6 days for in-home assessments, ideally less than 6 days for in-home repairs (after parts have arrived, and prior authorizations are done), and would include reasonable time extensions based on consumer availability. The Chair states that it does say that in the report already.

Sen. Seminara asks if he wants the language to be included in the service location and in the consumer's home. Jonathan confirms.

Jonathan states the consumers want an insurance payment for overnight or expedited delivery for parts and wants the industry to give feedback on this.

Chair Brakeman mentions that all recommendations on the final report are recommendations the Task Force has discussed, not all of them are statutory. She gives the example of nonprofits helping out with repairs.

Jonathan asks if there is an ask to legislators in item #7 regarding insurance reimbursements, he asks for it to be clear to differentiate what the legislative asks are and are not.

Sen. Seminara states that Chair Brakeman did a fantastic job on the report, she states the item is to make people aware of other options and she says that it wouldn't be insurance reimbursable because it isn't their mission.

Chair Brakeman states that the Task Force talked about opening the market for more repair/service locations and opportunities for consumers. She understands that the Oak Hill Center did try to be a repair location, so she put it out there.

Jonathan believes it's worthwhile to leave that in as a recommendation for other people to get service, the consumers' concern was that the reimbursable part of the recommendation was possible, and didn't want the recommendations to be unrealistic or incorrect.

David Morgana states the desire to have companies take used parts to do repairs didn't make sense because there were insurance and liability issues, but if a nonprofit wanted to do so that's different.

Sen. Seminara states the recommendation wasn't to replace the repair services that are already in place, it is to suggest additional options.

Rep. Smith believes the major issue is the repairs between in-shop and in-home and is important to note how forthcoming the industry has been. He believes it's worth noting that the industry is part of a private equity group and is a for-profit industry. He believes that the major issue is related to staffing to cut down on time. Rep. Smith is curious if the industry is aware of the bill that passed the Massachusetts Senate. Wayne states the industry is engaged with Massachusetts and has worked to get several of the recommendations introduced in the House as well.

Chair Brakeman states that the recommendations to the legislature aren't the only charge of the Task Force. Rep. Smith clarifies that the major issue is staffing, that they need to figure out what they can afford, and that it isn't a statutory fix.

Sheldon reiterates the appreciation for the report put together by the Chair. Sheldon agrees with Rep. Smith regarding staffing. He supports the mention of the MA bill but states that the bill is only related to wheelchairs in the warranty period. Sheldon believes the recommendations should be from the entire Task Force not certain parties (consumers, industry, etc.). Sheldon goes over some of the recommendations and clarifies that a lot of the issues are related to in-home repairs. Sheldon states the issue for transportation is the lack of payment to get to a facility for a repair, not the mode of transport. Sheldon hopes that payment can be reimbursed by the Federal government. Sheldon agrees that people should be able to purchase parts directly from the manufacturers, but that it isn't a right to repair.

Ginny Mahoney says the CT regulation states DSS shall not pay for transportation to a medical provider if it isn't a wheelchair fitting. She states that there is a fear of liability regarding the transportation of wheelchair users.

Sen. Seminara says re: recommendation #5 has incorrect language, they are equipped to do it but that the regulations prohibit it. She recognizes there is a liability with transporting someone whose chair needs repair.

Rep. Case states Human Services looked at stair chair language and that there were issues when the Committee looked at it. Ginny states she isn't aware of the language. Rep. Case states he can get her the statute.

Jonathan states other people weren't allowed a backup chair in the transportation van, which should be included in the recommendation.

Melissa believes creating legal exposure is a red herring, and states ADA says you can't use liability as a reason not to do something.

Chair Brakeman states she would prefer a report having unanimous support, but she needs to know if the current report captures the overall support from the Task Force.

Sheldon believes that Wayne doesn't agree with the time frames and doesn't believe the Task Force will be able to have unanimous support for meaningful change. He believes there should be two sets of recommendations; unanimous recommendations and those that don't have unanimous support.

Chair Brakeman states there isn't a single recommendation that is a consensus recommendation, because there is one group on each side of the issue. What the Chair hopes for is to have everyone agree that these are things we want to get to but how we get there isn't agreed upon. She then wonders if the legislature will care about the Task Force's recommendations if there isn't consensus.

She states maybe the Task Force doesn't even give any recommendations, just a report on where people are on each issue.

Sheldon infers again that he believes Wayne doesn't agree with the time frame recommendation. Chair Brakeman pushes back at Sheldon stating that he doesn't know that and that we should hear from Wayne instead of making negative assumptions.

Wayne states that the industry is reviewing every recommendation and they will issue responses to each recommendation in written comments.

Jonathan believes a way to emphasize the need, is to acknowledge the problem at the start of each recommendation.

Chair Brakeman states she won't shut down anyone commenting on the reports but is aware that legislators won't read most of the report.

Jonathan Slifka says that no regulatory agency was specified for a hotline that an agency should be referenced in the report and that there will be a budgetary impact.

### **Announcement of Time and Date of Next Meeting**

Thursday, January 25<sup>th</sup> @ 8:00AM.

### **Adjournment**

The Chair adjourned the meeting at 10:40AM.

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Chandra Persaud  
Task Force Administrator

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Nate Kalechman  
Minutes Prepared by