

**Aging and Disability Services Council  
MINUTES**

**December 3, 2015**

The Aging and Disability Services Council convened at the John H. Winters Building, 701 West 51<sup>st</sup> Street, Austin, Texas. Council Members in attendance were Chair John Cuellar, Glyn Crane, Judy Foster, Donna Stauber, Dr. Edward Yosowitz, and Barry L. Anderson. Commissioner Jon Weizenbaum and other DADS staff were present. Lawrence Hornsby served as Parliamentarian. Council member Sheri Harmonson was unable to attend the meeting.

**Agenda Item No. 1 – Call to Order**

Chair John Cuellar called the meeting to order at 8:30 a.m.

**Agenda Item No. 2 – Approval of the minutes of September 17, 2015**

The Minutes from the Council meeting of September 17, 2015 were presented.

*The DADS Council unanimously approved the minutes of the September 17, 2015 DADS Council meeting.*

**Agenda Item No. 3 – Commissioner’s Quarterly Update**

Commissioner John Weizenbaum informed the council about the Legislative Interim and associated DADS priority issues.

**Agenda Item No. 4 – General Public Comment**

No public comment was presented.

**Agenda Item No. 5a – Recommendations to propose an amendment in 1 Texas Administrative Code (TAC) §355.456 in Chapter 355, Subchapter D, Reimbursement Methodology for Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions (ICF/IID)**

Pam McDonald, HHSC, presented this agenda item. Discussion followed.

No public comment was presented.

*Barry Anderson made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rule governing the reimbursement methodology for the ICF/IID Program, as presented in Agenda Item 5a. Glyn Crane seconded and the new motion was approved.*

**Agenda Item 5b – Recommendation to propose new rules, amendments, and repeals in 40 TAC Chapter 44, Consumer Managed Personal Attendant Services; and Chapter 48, Subchapter B, Interest Lists; Subchapter D, Pilot Project for Persons with AIDS; Subchapter F, In-Home and Family Support Program; Subchapter H, Eligibility; and Subchapter J, Community Based Alternatives (CBA) Program**

Becky Hubick, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

*Edward Yosowitz made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of rules, new rules, and the repeal of rules governing various community services, as presented in Agenda Item 5b. Barry Anderson seconded and the new motion was approved.*

**Agenda Item No. 5c – Recommendation to propose new rules and repeals in 40 TAC Chapter 9, Subchapter E, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions (ICF/IID) Program – Contracting; and Chapter 90, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions**

Bobby Schmidt, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

*Judy Foster made the motion that the Council recommend for proposal by the Health and Human Services Commission the repeal of rules and new rules governing the suspension of Medicaid capacity in the ICF/IID Program, as presented in Agenda Item 5c. Barry Anderson seconded and the motion was approved.*

**Agenda Item No. 5d – Recommendation to propose an amendment in 40 TAC §90.3 and new §90.44 in Chapter 90, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions.**

Crystal Beard, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

*Edward Yosowitz made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rule and a new rule governing trauma informed care in the ICF/IID Program, as presented in Agenda Item 5d. Judy Foster seconded and the motion was approved.*

**Agenda Item No. 5e – Recommendation to propose new rules and amendments in 40 TAC Chapter 19, Nursing Facility Requirements for Licensure and Medicaid Certification; and Chapter 92, Licensure Standards for Assisted Living Facilities**

Sharon Wallace, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

*Judy Foster made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of rules and new rules governing nursing facilities and assisted living facilities, as presented in Agenda Item 5e. Barry Anderson seconded and the motion was approved.*

**Agenda Item No. 5f – Recommendation to approve new rules, an amendment, and repeals in 40 TAC Chapter 1, Subchapter A, Advisory Committees; Chapter 18, Nursing Facility Administrators; Chapter 79, Subchapter E, Advisory Committees; and Chapter 89, Advisory Committees**

Corliss Powell, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

*Judy Foster made the motion that the Council support the Health and Human Services Commission’s proposal of the repeal of rules, the amendment of a rule, and new rules governing advisory committees, as presented in Agenda Item 5f. Barry Anderson seconded and the motion was approved.*

**Agenda Item No. 6 – Adjourn**

Chair John Cuellar adjourned the meeting at 10:00 a.m.