

Executive Committee Meeting

September 5th, 2020

COURTNEY RYLAND: Good morning everyone. I think we're just waiting on Randall to join. He has been in contact with me this morning, so I imagine he'll be on shortly.

HYACINTH MCKEE: Good morning.

MICHAEL BILLINGS: Good morning everybody.

HYACINTH MCKEE: Courtney, have you reached out to Randall? Can you see me?

COURTNEY RYLAND: Yes, ma'am.

HYACINTH MCKEE: Have we spoken to Randall? Would he like for me to start the meeting? Do we have a quorum?

COURTNEY RYLAND: Randall just texted me and he said he was not going to be able to attend today.

HYACINTH MCKEE: Do we have a quorum?

COURTNEY RYLAND: We do.

HYACINTH MCKEE: All right. Greetings everyone. Good morning to you. As you can see, just being notified to chair the meeting. Which is okay. That's what we do, improvise. I want to go ahead and call the meeting to order by starting with a roll call. And I believe, Courtney, we have everyone present with the exception of our chair.

COURTNEY RYLAND: Correct.

HYACINTH MCKEE: And then I see that we have staff members as well that is on. If you all feel comfortable with introducing yourself, because we are on YouTube, that will be great for the public to know who is actually sitting here today. And, of course, I am Hyacinth McKee. I am serving as the vice chairperson for the Louisiana Developmental Disability Council and I will be hosting the meeting today.

STEVEN NGUYEN: Good morning. I am Steven Nguyen, self-advocate from region ten, Jefferson Parish.

MARY TARVER: I am Mary Tarver. Parent from Alexandria.

MICHAEL BILLINGS: Good morning. Michael Billings. Parent, Baton Rouge Louisiana.

COURTNEY RYLAND: And I am Courtney Ryland, interim executive director for the council.

HYACINTH MCKEE: All right. If that is everyone on the YouTube call, I want to proceed to the next item on the agenda. Now we will be approving the minutes from the August 1st, 2020 executive committee meeting summary. Has everyone got an opportunity to review the minutes?

MARY TARVER: I make a motion to approve.

HYACINTH MCKEE: Good to see you Mary. So happy to see you. Do we have someone to second the motion?

MICHAEL BILLINGS: I will second.

HYACINTH MCKEE: Any abstentions? Any objections? Motion carries to approve the August 1st, 2020 executive committee meeting summary. All right. And so the next item is the review of public comment on the adopted fiscal year 2021 plan. And so has everyone got an opportunity to review the 2021 fiscal year plan? Are there any questions on that plan?

COURTNEY RYLAND: As of today we have not received any public comment on the adopted 2021 plan. Also, Ms. Corhonda Corley has her hand raised.

HYACINTH MCKEE: Thanks for that cause I can't see it. If we don't have any questions from the executive committee, I would like to allow the public to make a comment. Committee, any questions from you or any comments you want to make before I open it up to the public? Okay. Sounds like I don't see anyone saying that. So, all right. Let's get public comment. Ms. Corley

feel free to share your comments.

CORHONDA CORLEY: Good morning madam chair and executive council. My first question is, cause I raised my hand actually before the motion to accept the actual minutes. It was in regards to an actual motion that was put in place in the last executive meeting. That motion was in regards to the council being able to receive, provide equipment for all of the council members if need be. That motion reads that it is the executive director and the chairman that have to make that approval. And currently we do not have an executive director. I was wanting to bring that to the light that it would need, in order for our council members to actual attend that, do not have any devices that motion would have to be substituted with a new motion that reads for the interim executive director and chairman to actually be able to make the purchases or allow for council members to actually receive that equipment. Because the way it's reading right now, executive director, and we don't have an executive director. That was the first thing that I wanted to bring up. As far as in schools reentering, the topic we were on next, am I correct Dr. McKee?

HYACINTH MCKEE: The comments we are accepting right now, and I appreciate that first comment and we will address that and respond. Second, we are on the fiscal year action plan and accepting comments specifically for any questions or concerns about that.

CORHONDA CORLEY: With the action plan for the fiscal year I thought that was really beautiful and very detailed in regards to what has actually taken place for those years. And the actual amount that was provided to those entities. But I would have greatly appreciated, and I think everyone else in the community would appreciate if we could actually have the information showing the

demographics that were served by those entities. Including racial demographics and rural populations. Because that was something the NADDC had spoke on that we needed to actually have the targeted populations represented. And that plan did not show if those targeted populations were actually represented or adhered to by this policy, by this plan that had previously expired.

HYACINTH MCKEE: Okay. Thank you for the comments. Sure we are taking notes of that right now. I want to address that first comment you had about the wording because of the motion. At the time when the motion was made, we did have, Shawn was actually the interim executive, he served in that role. So really during that time we had an interim executive director. As it stands Courtney Ryland is our new interim executive director and she along with the direction and the support of the executive committee as well as the chair will act in the role of executive director until we hire a new executive director.

With that being said, we will have some discussion and conversation about the wording, but it's my understanding that as it stands right now with the direction and support of the chair and executive committee, Ms. Ryland she does have the authority to act upon on that request to ensure our council members do have the technology they need. We will work to ensure that happens. I think what you are saying is twofold. The biggest issue we want to make sure all of our council members have access to the meetings, and they have the technology needed. Again, thank you for those comments and are dually noted. On the agenda, so first we don't have any more public comments on the fiscal year 2021 plan. We have to make a motion whether or not do we accept the fiscal year 2021 plan as it is to bring it before the full council for consideration. I see Courtney jumping in.

COURTNEY RYLAND: I believe Chris Rodriquez

also wanted to make a comment.

HYACINTH MCKEE: Thank you. Greetings Chris. I can't see hands. If you are on, please feel free to jump in and make a comment.

CHRIS RODRIQUEZ: Hi everybody. Good to see everyone. Courtney had reached out if I could attend just to answer any types of questions. I know a section on the work plan that relates to voting activities. And when we originally had that conversation during the planning meeting, I wanted to be very clear about what it means. Our organization, DRLA, gets a pot of money to specifically work just on voting and voter participation among people with disabilities, voter education and things like that. A big chunk of money and we often have times trouble using it. We try as best we can to partner with organizations and help them participate with us in voter education and things to increase voter participation. Under here it says a cost of 7,000. This is probably me not being clear back then. This is us willing to provide the DD Council with 7,000-dollars to help us continue to do voter outreach and things like this. This wouldn't necessarily be a cost of the DD Council. Now you are welcome, I think still a good cause if you guys want to invest 7,000-dollars. Just wanted to note you don't have to. While we would like you to do the work if we are working together, we can supplement the funds. I don't know if that makes any difference for anything.

HYACINTH MCKEE: Thanks for sharing. I know where he had conversation about the 7,000-dollars in the past and what I left with it was there as a way to serve as a supplement if it was needed. I know we had some bylaws. I left with the impression it was there in case a supplement needed to occur. Are we saying the same thing? Are we saying you are able to fulfill this objective not necessarily needing this money and

that it's there if it is needed? Am I hearing that? Cause that's what I left with the last time.

CHRIS RODRIQUEZ: Spot on.

HYACINTH MCKEE: Okay. That's the understanding. Anyone has any comments about or questions about what Chris mentioned? Anyone on that? All right. If we don't have any more comments about this, we are going to have to entertain a motion with approving this fiscal year plan to bring before the full council. So right now I would like to entertain a motion.

STEVEN NGUYEN: I will make that motion to approve fiscal year 2021 plan.

MARY TARVER: I will second.

HYACINTH MCKEE: Steven has made a motion. Mary has seconded. Any objection? Any abstention?

COURTNEY RYLAND: Just to clarify what action is needed to be taken right now. For the executive committee to ratify this plan because it will be effective as of October 1st. It will not be allowed to go to the full council for October 22nd. Just wanted to make that clarification.

STEVEN NGUYEN: I will make the motion to ratify fiscal year 2021 action plan.

HYACINTH MCKEE: Do we have a second?

MARY TARVER: I will second.

HYACINTH MCKEE: Steven has made a motion to ratify fiscal year 2021 plan. Mary has seconded the motion. Any objection? Any abstention? Hearing none, motion is carried. All right. So now we will move right along to the public comment protocol. I am going to ask Courtney at this time to, the document is there. I am going to ask Courtney to make any comments regarding virtual public comment. Courtney are you muted? One thing about these virtual meetings it shows what generation you belong to.

COURTNEY RYLAND: Can you hear me now?

HYACINTH MCKEE: Yes. Will you be willing to talk about the protocol for public comment for the meeting?

COURTNEY RYLAND: Yes, ma'am. Trying to share my screen. You only see the agenda?

HYACINTH MCKEE: Yes. I don't see the actual protocol.

COURTNEY RYLAND: I guess I will just read. We are trying to be accommodating and allowing comments on YouTube. But we have come across now with the multiple meetings we had virtually if there are any comments on the YouTube channel, they are so delayed because of a delay from zoom reaching YouTube. By the time we are able to even read those comments aloud we have already passed that order of business. And it's also dedicating an entire staff person just to watch the YouTube feed during the zoom meeting and trying to read those comments aloud during the zoom meeting. So we're asking for clarification on if the YouTube comments need to be read aloud during the zoom meeting. Or since it's a public comment forum, platform if just allowing people to comment during on the YouTube channel. And not having to read it aloud during the zoom meeting.

HYACINTH MCKEE: So for clarification, let me understand what you are saying. It has become a challenge to read the public comments because of the delay from zoom to YouTube.

COURTNEY RYLAND: Correct.

HYACINTH MCKEE: So the way to remedy that is to just have the comments posted in the chat box for all to view and see.

COURTNEY RYLAND: People who are attending via zoom can still post in the chat box. But if people are only viewing our meeting through YouTube there is a comment box that a staff person is monitoring. But again there is a delay, like a few minutes delay from when we talk about something on zoom to the time it reaches YouTube.

HYACINTH MCKEE: So then it appears as though we are not addressing the needs or the comments the public has. It's really not the case. It's because of the technical delay. Is that what I am understanding? Already moved onto another topic.

COURTNEY RYLAND: And persons' comments on YouTube are public. Anyone who gets on the channel to watch the meeting can still see their comments. It's not like we are censoring anybody's comments. Just having to dedicate a staff to watch the YouTube and read it aloud in zoom or type it in our chat in zoom is challenging. Probably not a good use of staffs' time.

HYACINTH MCKEE: Any recommendations from the committee or any thoughts from the committee on how we can ensure that peoples' comments are being heard? Is there something we can do? And Courtney, chime in and I'm sure you are going to have a conversation with your staff. I am understanding both sides. And I am hearing the need to address both issues. And I want to be able for us to work together to develop something that can address it both ways. Any recommendation or ideas from the executive committee that we can probably talk around?

STEVEN NGUYEN: A question. Is there another app or something we can use that we can collect comments in real-time? Something like an instant messenger in conjunction with YouTube that we can collect in real-time? And we can read it from there.

HYACINTH MCKEE: Thanks Steven for that comment. Maybe that is something we can consider looking into. Mary.

MARY TARVER: A couple minutes delay when it's public comment the people who are on zoom their comments are going to be seen first. Which would probably take up a couple minutes. And then by then the YouTube comments should be able to be

seen. And then either at that time be able to see their comments. Cause when we are on zoom, we can't see what YouTube people are saying. I would either say like a pause or two minutes where the comments are starting to show up, so you see you are having a conversation. If we waited the two minutes time or three minutes time and then said okay, moving onto the next thing. Still giving people an opportunity to speak. And probably between all the comments that we usually have on zoom by the time the YouTube comments are coming up probably haven't really sat and delayed necessarily. Where we are just sitting in silence. But that could happen from time to time. Wonder if it's just a delay time we need.

HYACINTH MCKEE: Thanks Mary. That delay is really where the challenge is. Any other comments from executive committee? And then I also want to ask if there is any council members that are present. I know Chris is on. I want to give them an opportunity to make any comments regarding this concern as well. If we don't have any other comments from executive committee, any council members that can chime in or make any recommendations if you have any.

EBONY HAVEN: We do have a couple comments in the chat.

HYACINTH MCKEE: Public?

EBONY HAVEN: It is public.

HYACINTH MCKEE: One second. Just want to make sure if there are council members who want to chime in. If not, if I don't hear any from our council members that are present, I will go on ahead and start to hear the comments from the public. You all can just start reading them or allowing them. Cause I can't see them. Again, we can't see them right now. Any staff member.

EBONY HAVEN: First one from Ms. Corhonda Corley. A question about the plan. She asked will the required changes per NADDC be added

targeting the population such as rural areas and diversity.

HYACINTH MCKEE: Thank you Ms. Corley about that. We need to have more conversation about that. I believe that everyone on this committee feels strongly about what you are saying on that. We need to be able to have some dialogue about putting that into place. So I want you to know that we heard your comment on that. It's duly noted. And we plan to engage in more dialogue about that. I want to be able to have the opportunity for our chairperson, Mr. Randall, who is not here to also be able to be privileged to that recommendation that you made. And so please know that it is noted, and we intend to work very closely to ensure we get resolution on that comment. Just want to share that with you. Just know you have been heard on that. Is there any public comment?

EBONY HAVEN: Several about the virtual zoom participation. Ms. Kathy Dwyer says participants on zoom may be interested in hearing the YouTube comments. Ms. Christy Crooks says can that be feature be turned off or information added to the screen to chat to the person you have that is monitoring?

HYACINTH MCKEE: I don't understand that one.

EBONY HAVEN: We need clarification on that one. Ms. Angela Lorio says you could simply give a few minutes before every vote and before you close a topic to wait for YouTube to catch up to real-time.

HYACINTH MCKEE: Okay. Sounds something like what our executive committee member Ms. Mary Tarver said.

EBONY HAVEN: Ms. Christy Crooks also says the person can copy and paste the comments emailed to zoom chat. Ms. Angela Lorio says public comments taken in is a very good use of DDC staff time. Ms. Bridget Bergeron said if a comment is not on

topic is it still answered and addressed? I think she is asking a question. If a comment is not on topic is it still answered and addressed?

HYACINTH MCKEE: Thank you, Ebony, for that. Thank you for those comments. It sounds like the biggest issue what I am gathering, and of course jump in, people want to make sure they are being heard. And so we have to devise a way to ensure individuals are being heard. And it sounds like the recommendation that Mary Tarver made mirrors a lot of what was heard in the public comment. And of course if you didn't hear that please let me know. But we can come up with a way to perhaps include in the agenda like we have done in the past when public comment is to be open and then allow for a pause. A delay. So that we can allow for public comment and address that particular topic. We will have to, because of the zoom and the technology, perhaps consider having a pause, a time to pause to allow for public comment. Maybe two to three minutes and to allow for those comments to catch up so they can be heard. I know it seems challenging. And no one wants to be in this virtual world. But I believe that we want to make sure the public has an opportunity to express their needs and any questions or concerns they have for the council. And given this environment this is what we are tasked with. Right now I would entertain a motion, I am leaning towards what Mary Tarver said about allowing a delay, having time set aside on the agenda. A delay for public comments to catch up. I hope I am saying that correct Mary. Does that sound like what you are proposing?

MARY TARVER: Yeah. I think it's still going to require the staff to look at it. They are the ones seeing the YouTube while we are on zoom. I don't know if we are going to get out of the staff, the staff are going to still have to monitor the YouTube unless there is some other way

to do that. I think the question about when we see the comments if it's not on the topic then I don't think they should be read at that time. At the end of the meeting we have time for open comments. If it's something that's not on the agenda, we skip over those until we either are having those conversations or the end of the meeting and open public comments.

HYACINTH MCKEE: It sounds like adjusting the agenda to make sure we do have time for public comment. And also reserving time at the end for public comment for something we may have not been able to address during the agenda. And so at this time I will entertain a motion. We have to make a motion. Just as what we just discussed. Can someone make that motion? Do I need to repeat it again and someone make the motion?

MARY TARVER: I will make a motion that we put in our agenda a pause so that we can capture any comments being made on other social media during a meeting and having staff to be able to read that during a meeting.

HYACINTH MCKEE: Do we have a second to Mary's motion?

STEVEN NGUYEN: I will second.

HYACINTH MCKEE: Do we have any objections to the motion? Any abstention?

EBONY HAVEN: There are two comments from the public.

HYACINTH MCKEE: Wait. I have a motion on the table I have to finish. I have to carry the motion. If there is no objection or abstention, motion carries. Now entertain comments.

EBONY HAVEN: One solution is to turn off the YouTube chat feature and instead provide an email address of the person monitoring. The monitor can copy and paste to zoom chat. Ms. Corhonda Corley says if the public comment period is longer than three minutes then the pause would not be necessary on the agenda. And Ms. Angela Lorio

said be sure you include pausing before a vote. You can't go back to a topic after a vote is made. That's all

HYACINTH MCKEE: Thank you for your public comment. All right. So we are going to move right along to the next topic on the agenda. So we have three letters that were submitted to the council for review. We have a letter from Ms. Corhonda Corley. A letter from Ms. Kim Basile one of our council members. And a letter from Mr. Anthony Luczak. At this time has everyone on the committee been able to read the letter.

EBONY HAVEN: Actually Randall has texted me and asked this discussion be delayed. I am entertaining the notion from the chair who is absent. Requested for this to be delayed. If not, we would need to go into executive session.

HYACINTH MCKEE: So we will go into executive session for two of the letters. But one of the letters is from the public and I am not sure if we need to go into executive session for a letter from the public. Right now I am chairing this meeting and I need to be able to chair the meeting with everyone that is physically present. With that, I was going to offer to the committee to review and discuss Anthony Luczak's letter if possible. And then Ms. Corhonda Corley's letter was read aloud to the entire council at the council meeting. That needs to be addressed. But because it is pertaining to an executive council committee those two letters would be ones I would recommend we would go into executive session. But Anthony Luczak's letter I don't want to delay because this gentleman sent this letter many weeks ago and we need to address it. Executive committee. Thanks, Courtney, for that. And respecting the chair I do want to, I think we are at the point delaying this, I can't continue to delay. We have seen these letters for months now. I think it's time to have a conversation about

moving forward and addressing the concerns of these three letters. I want to ask the committee if the committee will bear with us today and follow it in that order. Again, I am saying can we look at Anthony Luczak's letter. And then go into executive session for Ms. Corhonda Corley and Ms. Kim Basile's letter. Because again, it is a character, about a character letter. Are we in agreement with that committee? What are your thoughts on that? Open to comment on that. I can't see everybody. Are you making a motion to delay it? What are your thoughts?

MARY TARVER: I think the letter that Mr. Anthony sent I agree we can talk about that today. The other two I don't know about those. I know if Randall has been working on these things, I feel like have to have his input. I think we already have a meeting scheduled for Wednesday.

HYACINTH MCKEE: Wednesday is jam-packed. Are you all making a motion to move these letters to Wednesday? Wednesday's schedule is jam-packed and during a workday. We have to keep that in mind too.

COURTNEY RYLAND: The agenda for Wednesday actually includes old business at the end of the meeting. It was anticipation if the discussion for all three of these letters weren't able to be done before 12:00 that we would be able to include or resume discussion for these letters at that time.

HYACINTH MCKEE: My concern is, and again, we have an executive committee scheduled for Wednesday during a workday. And given what is on the agenda for the executive committee meeting Wednesday now we are saying we want to delay discussion about these letters until another, are we pushing it off until another executive committee meeting? Just having a discussion. I just want to make sure whatever we decide that a motion is made, and this is where we are. But

these letters have been sitting with us for some time now. My concern is if we do move it, do we have time on the schedule on Wednesday for everyone to be present to address the letters? Just need feedback from the executive committee.

MICHAEL BILLINGS: I think we should defer until everybody is present.

HYACINTH MCKEE: Do you want to make a motion?

MICHAEL BILLINGS: I make a motion we defer reviewing letters until our executive committee meeting on Wednesday.

MARY TARVER: I will second.

HYACINTH MCKEE: Motion was made to defer the letters received to Wednesday until everyone is present. Mary seconded the motion. Any objections? Any abstentions? Motion carried.

EBONY HAVEN: Ebony. Ms. Corhonda Corley has her hand raised.

HYACINTH MCKEE: Yes, Ms. Corley.

CORHONDA CORLEY: Great morning madam chair and executive committee. The next executive meeting which is on Wednesday the ninth. I know we are supposed to also discuss in full detail about according to that agenda everything dealing with the fiscal year plan. But the day before that is when the actual legislative session actually begins. I don't know a problem with tabling the letters from Ms. Basil and myself to Wednesday. But I think it would be extremely prudent of the committee, executive committee to actually address Mr. Luczak's letter because that's a letter in regards to children reentering into the school systems. And we actually have children that have actually returned into the brick mortar building that are deeply affected by a lot of the things that his letter actually discusses. Some of the things will be addressed during legislative session. It would actually be delaying our council to following the actual DD Act by actually advocating for our people in our DD community if

we do not go ahead and address his letter.

HYACINTH MCKEE: Thank you Ms. Corley for your public comment. I want to just make a comment. I am deeply concerned we are not going to address Mr. Anthony Luczak's letter today and I need that to be on record. I am very concerned we are not going to address Mr. Anthony Luczak's letter. I am not sure if the executive committee had an opportunity to read it. It is some serious concerns from the public. What I am impressing upon the executive committee to really consider to readjusting that agenda, so Mr. Anthony Luczak's letter is top priority on the agenda for Wednesday. I don't know if I can make a motion as a chair. But again, I am requesting the agenda be rewritten to ensure Mr. Anthony Luczak's letter is top priority on the agenda for Wednesday. The agenda should be reassigned, and his information should not be considered old business. It has been, this letter has been sitting with the DD Council for some time now. He has every right as a public member to be heard. Again, I want to press upon that. Not sure if I can make a motion as chair. I need that to be in record. His letter needs to be addressed.

EBONY HAVEN: Mr. Luczak has his hand raised.

HYACINTH MCKEE: Any public comments?

ANTHONY LUCZAK: I am the person that wrote the letter you are speaking about. And thank you Dr. McKee for your comment that proceeded mine. I wrote this letter and I notified the Developmental Disability Council 48 hours before their last executive committee meeting and it wasn't addressed then either. It was on the agenda to be addressed this meeting and we again are not going to be addressing these issues. The results are that not just children, but all people in Louisiana are impacted by the issues that I am addressing. We have systemic issues that directly affect the evaluation, the implementation of the

children. And because these issues have been going on for decades many of the adults in the communities need to be addressed. The Developmental Disability Council, as I understand it, is supposed to be helping my patients and many members of this community. And it's very disappointing to me that we are tabling this matter until after the next legislative session begins. It is, how do I put this, right now in Louisiana your silence speaks consent with a system that stands by and watches children not get identified as needing services. And then get misdiagnosed with psychiatric issues. And then get trauma through the lack of services that should have been provided earlier in their life. And then driving directly to a pipeline to prison because of a lack of efficacy of our education system, of the Office of Citizens with Developmental Disabilities, and with the Medicaid system in recognizing and providing service for people with intellectual and developmental disabilities. We need to make a stand and I need your help. And you are on this council to help these people. So please, please stand with us about these issues. And I am on record saying I am extremely disappointed with your decision to table this. I set aside time today to attend this meeting and this is the second time you are not addressing a letter that I notified you of. I requested you address it 48 hours before your last meeting. That's my comment.

HYACINTH MCKEE: Thank you. Any other public comment regarding this topic to address letters received?

COURTNEY RYLAND: Mr. Chris Rodriguez has a question in the question and answer box. Or actually a comment.

HYACINTH MCKEE: Please join.

CHRIS RODRIQUEZ: Can everybody hear me?

HYACINTH MCKEE: Yes.

CHRIS RODRIQUEZ: Just a comment actually. Going to let the gentleman know, unrelated to the DD Council, I believe, I haven't read his letter in detail. But I believe Disability Rights Louisiana might be in the process of litigating either this issue specifically or certainly an issue very close to this one in a class action that we have going on right now. I would be happy to talk about that with him if he would like to reach out to me and discuss it.

HYACINTH MCKEE: Thank you Chris for your comments. Any other comments regarding this topic? Ms. Corley, you have the floor.

CORHONDA CORLEY: Thank you madam chair. Mr. Rodriguez just stated he would like to entertain Mr. Luczak aside from the rest of the public and the committee. And it would prudent since the letter has already been made public for all of us to actually read that the conversation be made public for all of us to be able to engage. The reason that I am saying that is because we have more than 200,000 children with disabilities that are going, that are in the school system that is not private sector, that is public and charter. Including our special school district that has around 300 to 500 students. This is something that even if the Advocacy Center, new name Disability Rights, if they are pursuing litigation this is still something that is similar or remotely close to what this gentleman's letter discusses. This is still something that the full disability community needs to be engaged in and properly informed and allow the opportunity to have their voices heard. Because too many opportunities have passed where our people and our communities are feeling like they are not being heard and they are not being brought to the table. This is why our community right now is left in such a dilapidated state.

It would just be extremely prudent if we could actually

just discuss the letter and whatever the executive committee would like to pursue as far as Mr. Luczak's letter that could actually be moved to Wednesday if y'all do not feel comfortable about it. But at least discussing the letter when we actually have such a great turnout of people from the community that actually want to have their voices heard and that are afraid about their children returning to brick and mortar buildings. I think this is something that we should actually go ahead and discuss. Because according to Mr. Luczak's letter, he is a medical professional. We are not even sure if he would be able to attend on Wednesday. We are not taking into consideration that he is taking time out of his busy schedule to actually attend a meeting twice to discuss such a pertinent topic that impacts so many people in our state. And we are failing to actually do what we are federally required to do. Which is to advocate. Advocate for our people within our community that have a developmental disability. And that is what we actually are supposed to do. Advocate and promote systems change federally. And federally right now we are not adhering to that portion of our bylaws or the DD Act if we table it again until Wednesday. Just open to whatever the committee would like to say in regards to that. But I really just think that we should at least discuss it. Instead of just tabling it again. Because then Wednesday we may table it again. I don't want it to be we constantly keep tabling.

HYACINTH MCKEE: Thank you for your public comment.

STEVEN NGUYEN: I would like to go back and address the letter please.

HYACINTH MCKEE: We do have other comments. Thank you for that. We have other comments. Can we take those comments and then hear the recommendation from Steven, our executive

committee member? Any other comments that we have Courtney? Do you see any other hands raised? I think I see Chris. We don't hear you Chris, but I do see your hand raised. You have the floor.

CHRIS RODRIQUEZ: I did want to provide more information since we are talking about it, at least to a certain extent. So just to give a little more information what we are currently doing. I don't know how much information I can give without our lawyers getting upset with me. We are involved in a class action lawsuit. We have partnered with Southern Poverty Law Center, the National Health Law Program, the National Center for Law and Economic Justice and a private law firm to bring a class action lawsuit against LDH. What it basically is doing, at the very beginning stages of this. And, in fact, we are part of bringing this forth, but we are actually not the leads on this. But heavily involved. Asserts that LDH is not properly or failing to provide mental health services to Medicaid eligible children and families in the State of Louisiana. And the suit seeks the court order requiring the state to fulfill its obligation under the law to provide the necessary services for children with mental health needs and to prevent the unnecessary risks of their institutionalization. On record that is basically the very, very 45,000-foot view of the litigation that we have going on.

Just like to remind folks the way that we try and operate as a DD network. So for those of you who may not know, guessing most of you do, the PNA, the agency that I run, Disability Rights Louisiana and the DD Council and the UCEDD are all birthed through the same piece of legislation. We are highly recommended to kind of work together. We have different tools in which we utilize in order to effect change, positive change of people with disabilities. Things the DD Council is very good

at that we know we don't have to worry about because you guys can take care of that. And there's things that we can do the DD Council would have difficulty doing like litigation. And there's things the UCEDD can do like crunching numbers and training that they do very well so we don't have to do as much as that. Not to say we all can't do these things.

But I feel as though we're getting towards a very similar thing that happened in the class action last year with the medically fragile children and skilled nursing. A lot of pressure for the DD Council to do something. When in fact we were working on it. Probably our fault for not communicating better with the public and the DD Council members on the work we are doing. But I don't want folks to think just because the DD Council isn't taking action on certain things that they are not aware of it. Just might be there is another entity better suited to address certain issues at this time than perhaps the DD Council or another organization might be. Or as the governing body you might say wow, the PNA is doing a great job, but the DD Council has a role here and want to do our own thing as well. Certainly, a prerogative of the council. Just wanted to give more information. And for anybody's interest I'm happy to talk more about this issue. Obviously at the end of this we have concerned people over what is obviously a very legitimate and important issue and we want to get it resolved. Whether the DD Council, whether us, The Southern Poverty Law Center, private firm that we are also going with. Want to see these kids get the help they need.

HYACINTH MCKEE: Thank you Chris for that, for the comment that you shared. And glad you are extending support to our families in the community. In terms of the letter, the letter is going to involve some discussion with the DD Council to at least address the letter and to

determine what best course of action the DD Council should take in terms of positioning and at least hearing what is written in the letter pertaining. And the letter pertains to behavior health, mental health, as well as DD service combined and a lack thereof. So thanks again for that. But the letter has a little bit more detailed information that includes the developmental disability community awareness and input as well. Just wanted to make that noted. Sounds like what you are dealing with right now with Disability Rights focused to one side of the equation, but this letter speaks to both sides of the equation in terms of getting feedback and buy in from both communities. I do see another public comment. I am going to ask that public comment just kind of take a pause while I address the committee member request and then I will go back to public comment. I believe our executive committee member Steven Nguyen had a comment he wanted to make.

STEVEN NGUYEN: No. I wanted to say I believe we should address the letter today. I feel like it is important, and I should have probably spoke up sooner. If we need a motion for that I will be happy to make it. Or an amendment somewhere.

COURTNEY RYLAND: That is what I was going to recommend Steven if you wanted to make an amendment to the motion.

STEVEN NGUYEN: I would like to make the amendment that we discuss Mr. Luczak's letter today and hold the other two letters for Wednesday.

MARY TARVER: I will second it.

HYACINTH MCKEE: A motion was made to amend the first motion to state that Mr. Anthony Luczak's letter will be addressed today. The motion was seconded by Mary. Any objections to the motion? Any abstentions? With none heard, motion carried. At this time we will address the letter by Mr.

Anthony Luczak that was submitted and I'm going to open up the letter. Thank you for sharing that. We will take this time to address the letter. First of all, have all executive committee members had a chance to review the letter?

MARY TARVER: Yes.

HYACINTH MCKEE: Great. What I would like to do at this time is allow for Mr. Luczak, if that's okay, I am understanding you are still on. So I think you would be doing a better job with highlighting, cause I did read your letter. Thank you for your letter, first of all. Thank you for taking the time to write such a detailed letter and giving us as a developmental disability community the opportunity to see from the lens of the people that are being served or lack thereof. Again, thank you for taking the time to actually put together such a detailed letter to help us see what our people are experiencing. And with that, I would like to turn it over to you. And I am going to, not intentionally, want to keep you contained in terms of the delivering your comments, but I am going to ask you to do the best you can. I will give you the floor maybe three to five minutes. And then open it up for some questions from the committee. And then go into some public comments to address some of the concerns. I will now at this time give you the opportunity to share with the committee your concerns in the letter that you wrote to us.

ANTHONY LUCZAK: Thank you madam chairman and thank you for discussing this today. I really appreciate that. It would have been very difficult for me to attend on Wednesday. I will make the best effort. I am a certified pediatric nurse practitioner, pediatric mental health specialist. Been practicing for six years in Louisiana. More than six years. Been struggling with following my practice standards in regards to referrals and advocacy and access to school

systems through Medicaid and Citizens for Developmental Disabilities for the children that come into my clinic and many of their parents. Because often times parents also have developmental disabilities and these parents have not been diagnosed. Even more difficult for me because I can't directly be the provider. The parent has to seek another medical provider. These issues have been ongoing for decades. So grateful Dr. McKee for your comments in response to the Advocacy Center, Louisiana Disability Rights director's statement because the issue I am addressing are not just behavioral health, not just Louisiana Department of Health. I am familiar with that. These are fundamental issues that impact access to care at every single-entry point that exist in the system aside from cash. And the cash prices are very limited for people. Difficult often to find psychologists that will take the cash. Because we have a system that does not allow for reimbursement. The school systems, for whatever reason, doesn't appear school systems employ school psychologists with skill sets to diagnosis these developmental disabilities which is a major issue.

I am concerned about enforcement of state laws and guidelines in regards to the school systems and what type of oversight happens and in regards to evaluation. (Inaudible) Also standing silently while we are in effect condemning children to have lifelong mental deficits because of our being okay with the current system. If we do not get access to services at young ages it is an established scientific fact these people will have more severe lifelong impairments as a consequence. And that's what we have in Louisiana right now. That the status quo. I am not okay with that.

If you read the letter, I address many of the things in detail. It's very specific because I have been spending years looking at these issues and have

conversations with many professionals. We have a climate to address this. It may involve some level of legal action, I don't know. I believe one of the issues I would like to see is for the Developmental Disability Council to help school systems need to be held accountable more easily. Actually having access with actual special education advocates. And we need to have a culture of legal professions. (Inaudible) We don't do that here. Even if we don't do pro bono there is an access issue for accountability. Just one example. I really appreciate you. Kind of my overview. Thank you very much.

HYACINTH MCKEE: Thank you for sharing your comments today regarding this letter. And we wanted to give you an opportunity to at least speak to what you have written. Of course, your letter has a lot of details and concerns. We would like to, again, work closely with obtaining more information about what is going on in the letter. I will say that I did read the letter and you have several key points in the letter that you are asking, I guess, support from the DD Council on. And so I am going to entertain a motion. I want to make one more comment. I did notice one clearly about the CSM IV diagnosis and the concern. I think there is some more investigation that we may need to do with obtaining some information from OCDD to determine exactly what diagnostic statistical manual they are utilizing. Because again, the DSM IV is outdated. In fact, it expired as of October 2015. If it's still being used as a means to diagnose our people that is really concerning. And so there are some, we need to be able to reach out to some of the systems that are involved to really see what position that the DD Council can help in supporting, addressing these concerns as written. Any comments from the executive committee at this time?

MARY TARVER: I was thinking that we might need to see about getting some input from Department of Education and OCDD to get their take on what is going on. And how to manage this better or understand where they are coming from or how to get on the same page to help our kids and our community. And maybe put it on the agenda for education employment committee moving forward so it's something we will be monitoring. I think we are going to have to also, maybe Chris has ideas and things we might need to look at. Some of it may be advocacy, some may be legal, some may be working with the different Department of Education, BESE, OCDD to get us moving in the same direction. Because we tend to have issues that are very systemic. And this is not something each individual having one little bit of this that affects them, and the next individual has something a little bit different but alike. I think it is something we are going to have to work together with other groups. Not going to be something that is easily solved. But certainly something we need to address.

HYACINTH MCKEE: Thanks Mary. Any other executive committee has any comments on the letter, the topic and any input?

EBONY HAVEN: You do have a council member not on the committee with her hand raised.

HYACINTH MCKEE: Thanks Ebony. If the committee does not have any other comments about this lengthy letter submitted to us, then I will turn it over to our council members that are present to make any comments. Who do we have Ebony as a council member that is present that can make a comment?

EBONY HAVEN: Crystal White.

HYACINTH MCKEE: Greetings crystal. Glad to have you today.

CRYSTAL WHITE: Thanks. I was really, I just want to say thank you to Mr. Luczak for addressing

this because I have high concern with this. I believe that whenever we tend to cross over agencies and departments, whenever they tend to, for example having department of ed and also OCDD on this. Whenever we have two departments that kind of work in silos and we need for them to come together on this because there is a gap it gets kind of muddy. I'd really like for us to have both of our department of ed rep and OCDD present whenever we have this discussion. Just because sometimes since those departments are at different tables, different committees we don't often have us come together and say here is where the gaps are, and both can work on it at the same time. I am noticing a lot whenever we have people with developmental disabilities and then with behavioral and dual diagnosis, we're having gaps in those systems. Just noticing when we cross departments there is a gap. Just to make a recommendation that somehow when we have a committee meeting maybe if OCDD can join the department of ed group whenever this discussion. Or department of ed come over to the home come community based whenever we discuss it. I would just like to see all the big players at the table when we have this discussion. That's all.

HYACINTH MCKEE: Thank you Crystal for your comment. Any other comments from council members who are in attendance today? Now I will like to open it to public comment. Any public comment? Okay. So hearing none, I am opening the floor to any motions from the executive committee members to address this letter. Any motions? Mary brought up some ideas on how we can move forward with addressing this letter that was received on July 30th. So at this time I want to entertain any motion on how we should move forward with addressing this letter.

MARY TARVER: We might need to all work on the motion, but I was thinking we would have a motion

to have the letter sent from maybe from the DD Council to OCDD and Department of Education representatives that are on the DD Council to have them read it and make comments or give some input. And then to put it on the agenda for the education employment committee with the two groups like Crystal said. Planning it at a time when we can do it at the beginning of our meeting somehow, we can coordinate so they are both in the room at the same time. My motion is to make sure we send a letter, a copy of Mr. Anthony's letter to OCDD and Department of Education to let them know the DD Council wants to work on a resolution and would ask them to make any comments back to us. And also put it on our October agenda for education employment committee.

HYACINTH MCKEE: Mouth full Mary. You hit all the points. What I am hearing is that a motion is on the floor that the DD Council draft a letter and send a letter to both agencies that sit on the council, Department of Education and OCDD and attach Mr. Luczak's letter and ask for a response from them and any recommendation, right? To address these concerns that are outlined in this letter. Does that sound like I said that correct? That is one motion. And then you have another motion. That is the first motion. Does that sound right?

MARY TARVER: Yes.

HYACINTH MCKEE: Did we hear that motion? I am going to need a second for it if we all heard it. That is the motion that Mary made. Can I get a second for that motion?

STEVEN NGUYEN: I just want to bring your attention to a comment from Chris Rodriguez if you want to take that now. I think it's important to this.

HYACINTH MCKEE: Not in the middle of a motion. Chris, I am so sorry. I will entertain the comment after the motion is passed. I will

consider opening. Not in the middle of a motion. I have to move forward with Mary's motion right now.

STEVEN NGUYEN: I will second.

HYACINTH MCKEE: I am hearing Steven seconded the motion. Any objection to the motion? Any abstentions? Motion carries. Now we can entertain the comment from Chris. Hi Chris. Can someone let Chris in.

CHRIS RODRIQUEZ: I was just suggesting, and probably doesn't make sense cause they are not actual council members, but including sending that letter to Office of Behavioral Health and Medicaid. In order to solve this problem definitely going to have to be included. But maybe down the road.

HYACINTH MCKEE: If Mary would like, or if someone on the committee wants to make a recommendation to modify that they can. And we will go back to modify it. Mary, are you okay with that?

MARY TARVER: Yes. That's fine.

HYACINTH MCKEE: You have to make a motion to amend your motion.

MARY TARVER: I was seeing Mr. Anthony made a comment.

HYACINTH MCKEE: Now I will open it up to public comment. Mr. Luczak, this is your letter.

ANTHONY LUCZAK: Thank you. Can you hear me? Thank you, Mr. Chris, for your comment. I agree with the recommendation and the council sending the letter to OBH, Medicaid. While I didn't speak on it, they were a significant part of the issues. Access for Medicaid is one of the three aspects of evaluation that are available to the public. Very serious deficit that exist in this state right now. I believe there is a wait list over a thousand people at Children's Hospital New Orleans. We also, I would recommend the council consider including law enforcement because right

now there are many young men and woman in juvenile detention centers and in adult detention centers that have developmental disabilities because we have not diagnosed them when we should have earlier in their life.

HYACINTH MCKEE: So thank you Mr. Luczak for that. And I am going to go back to the executive committee. Thank you for your comment on that. I will go back to the executive committee for the purpose of time. And your comment has been heard. I want to go back to Mary, our executive committee member, and ask her to amend the motion to what she wanted to be on record as.

MARY TARVER: Amend to include OBH and Medicaid.

HYACINTH MCKEE: What I am hearing is we have an amendment to the motion that was made by Mary to draft a letter from Developmental Disabilities Council requesting that the Office of Citizens with Developmental Disabilities, Office of Behavioral Health as well as Louisiana Department of Education be a part of this of coming up with responses and/or recommendations to the letter that Mr. Anthony Luczak has sent to the DD Council. That is the first motion. We still never talked about the one going to the employment committee. That is the first motion. Are you, Mary, entertaining any other language that should go into your motion at this time?

MARY TARVER: No.

HYACINTH MCKEE: A motion is on the table. Do we have a second?

STEVEN NGUYEN: I will second.

HYACINTH MCKEE: There is a second on the table. Steven seconds. Any objection? Any abstention? Hearing none, motion carries. There is a second motion that Mary brought up that involves us addressing this document, this letter that Mr. Luczak has sent to us to be placed on the agenda for the education employment committee. As

well as, Mary, it was something else you said, and self-determination committee. That is another motion.

MARY TARVER: I don't know how it would work. Both of them or if we put it on one that we work together on that issue so we can work together on the information.

COURTNEY RYLAND: Most of these entities, I think all but maybe Department of Education are included on the act 378 subcommittee. Would it be appropriate for this to be addressed during that committee since all of them are already congregated in that committee?

HYACINTH MCKEE: That is a good recommendation. But we definitely need DOE at the table because this letter does speak to the IEP process.

COURTNEY RYLAND: Maybe instead of it being addressed in those two standing committees it can be addressed in the act 378 committee and include Department of Education.

MARY TARVER: That is a good idea. I think act 378 meets at a separate time. Doesn't the education and employment.

COURTNEY RYLAND: Right now with everything being virtual everything is being handled separately.

MARY TARVER: I am thinking in October we may be regular again.

HYACINTH MCKEE: Are we wanting to make that motion that we would have Mr. Luczak's letter be discussed in act 378 with a request that LDOE is present.

MARY TARVER: Yes.

HYACINTH MCKEE: Mary has made a motion to have the letter be heard and discussed at the act 378 meeting with a representative from special education diverse learners support, Louisiana Department of Education meeting. A motion on the table. Do we have a second?

MICHAEL BILLINGS: I will second.

HYACINTH MCKEE: Mike seconds the motion. Any objection? Any abstention? Without hearing none, motion carries. All right. I will get back to the agenda. So I don't see much of anything else on this agenda today. Do I see any public comments before we move to get a motion to adjourn the meeting? Any public comments about what was discussed today? Well, hearing no public comment I am happy to entertain a motion to adjourn the meeting at 11:38. We need to get a motion to adjourn this meeting.

STEVEN NGUYEN: I will make a motion to adjourn this meeting.

HYACINTH MCKEE: Can we second adjournment?

MICHAEL BILLINGS: Second.

HYACINTH MCKEE: You all have a blessed day. Have a blessed Labor Day. So glad to see my committee members who have went through a lot with Laura. And we love you. Our hearts are with y'all. And so glad to see your faces today. Please enjoy your Labor Day weekend. Pleasure to work with you and I will be seeing you on Wednesday. You all have a blessed weekend.