

Personal Care Attendant Quality Home Care Workforce Council  
Special Meeting  
Wednesday, December 14  
Room 410, State Capitol Building – 11:30 AM  
Minutes

**Members Present:** (Chair) Dawn Lambert, Greg McMahon, Michelle Duprey, Patti Clay, Imla Eubanks, Elizabeth Marafino, Darlene West

**Members Absent:** None

1. **Call to Order:** Ms. Lambert called the meeting to order at 11:37
2. **Approval of Agenda:** Ms. Marafino made a motion to approve the agenda. Mr. McMahon seconded the motion. All members present voted in favor. The motion carried.
3. **Introduction of Members:** The Council members and support staff introduced themselves. Ms Lambert distributed the Council membership roster.
4. **Review of Executive Order and Role/Responsibilities of Council by General Counsel's Office:** Chris Drake reviewed Executive Order #10 with the Council.
  - The purpose of the Council is to ensure the quality of long-term personal home care.
  - He clarified that the Executive Order does not establish collective bargaining but initiates a meet and confer process and allows the election of a majority representative that will enter a non-binding process with the Council.
  - He reviewed responsibilities of the Council to include:
    - Developing better means to identify and recruit personal care attendants;
    - Developing training and educational opportunities for personal care attendants and consumers;
    - Developing one or more registries
    - Meeting and conferring with the majority representative of personal care attendants
  - The Council is charged with studying issues related to the aforementioned responsibilities including best practices in other states, developing a plan and making recommendations to the Commissioner of Social Services to improve the quality, stability and availability of personal care attendants.
  - The first duty of the Council is to review the definition of personal care assistance as defined in Executive Order 10 and apply the definition to the various household employees funded through waivers operated by Department of Social Services (DSS) and Department of Developmental Disabilities (DDS) thereby determining if the household employee's name should appear on the PCA list.
5. **Discussion of Rules of Order:** The Council discussed rules for public comment. On a motion made by Ms West and seconded by Ms Duprey, the Council unanimously agreed to establish no restrictions on public comment during today's meeting and to discuss rules for public comment as part of the next regular meeting agenda.
6. **Discussion of assuring input from Stakeholders:** The Council discussed coordinating with other groups who have similar responsibilities within the state such as the Money Follows the Person Workforce Development workgroup and the PCA workgroup at the Department of Social Services. There was consensus to establish a list of groups where there may be an opportunity to coordinate and to invite representatives to a future

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- meeting. There was also consensus to invite key experts regarding subject matter relative to the Council's responsibilities to selected Council meetings.
7. **Discussion of definition of Personal Care Attendant (PCA):** There was discussion regarding the definition of Personal Care Attendant. Mr McMahon stated that DDS has a wide range of household employees including those who provide transportation services. He expressed concerns regarding the intent of the definition and if household employees such as those who provide transportation services meet the PCA definition. Ms Duprey stated that the definition of PCA in Executive Order 10 was fairly broad. There was consensus to provide details of every service provided by house hold employees as defined by the DDS and DSS waivers. There was also consensus to invite waiver managers to the next regular meeting of the Council.
  7. **Schedule of Meeting Dates/Times:** The Council decided to establish a regular meeting on the first Wednesday of every month from 1 – 3.
  8. **Public Comment:**

**Ms. Cathy Ludlum:** Ms Ludlum state that she has 23 years as a PCA employer and that she has been opposing establishment of the Council since 2009. She stated that now that a Council has been established we must work together to make sure the lives of people with disabilities are improved. She stated that if the Council is serious about increasing wages for PCAs, addressing the shortage and the creation of training opportunities – that's great- but the process is important. To date, the process has been 'nothing about us without us'. She thanked the Council for openness. She expressed concerns about where the money will come from to fund increased wages. She stated it was great to improve wages but right now increased wages would result in decreased hours provided by PCAs in order to remain cost neutral. She stated that in the end the objectives of the Council cannot be met if the lives of people with disabilities are adversely effected through the Council's actions.

**Ms. Sheila Mulvey:** Ms Mulvey requested information about the workgroup. She asked if more information regarding confidentiality concerns relative to the PCA list could be shared. She suggested that the Council invite representatives from the fiscal intermediaries to future meetings.

**Senator Markley:** Senator Markley stated that he was the Ranking Member of the Human Services Committee. Senator Markley expressed concerns that a Council was established by the Governor despite the fact that legislation supporting establishment of a Council died in the legislature. He stated that feedback during the session was unanimously against establishment of the Council and stated that the establishment of the Council was 'overstepping'. He urged the Council to look at the testimony regarding the matter from the Human Services committee. He also expressed frustration regarding the fact that he found out about the Council meeting by accident and asked why it was not placed on the Calendar.
  9. **Adjourn:** Ms Duprey motioned to adjourn the meeting. Ms Clay seconded the motion. All members voted in favor. The meeting adjourned about 1:02.