



SECRETARY OF THE STATE
CAPITOL OFFICE

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STATE OF CONNECTICUT

GOVERNOR DANIEL P. MALLOY

Personal Care Attendant Work Group

Special Meeting

Friday, December 9, 2011

Room 410, State Capitol Building – 10:00am

Members Present: (Chair) Dennis Murphy, Larry Fox, Kathy Bruni

Members Absent: Dr. Candace Howes, Sandra Fae Brown-Brewton

1. **Call to Order:** Dennis Murphy called the meeting to order at 10:07am.
2. **Introduction of Members:** The panel members and support staff introduced themselves.
3. **Review of Executive Order and Role of Working Group by Governor's Deputy Counsel Chris Drake:** Chris Drake reviewed Executive Order #10 with the Working Group.
 - The purpose of the working group is to examine the issue of collective bargaining for Personal Care Assistants.
 - He clarified that the executive order does not establish collective bargaining but initiates a meet and confer process, allows the election of a majority representative that will enter a non-binding process with the Workforce Council that is also established by the executive order.
 - The council will produce a list of recommendations that may or may not be acted on by the Governor, Department of Social Services (DSS) and the Department of Developmental Services (DDS). The working group will examine whether it is possible to initiate a collective bargaining process.
 - Described the difficulty of the working group's mission, given the nature of the self directed care provided by personal care attendants that the executive order states must continue to be directed by the clients receiving the care. Difficulty is also presented by the executive order's requirement that any changes must not impact the State's receipt of Medicaid funding. Finally, difficulty is presented by a lack of a unified employer for all PCAs to bargain against.
 - The executive order requires the working group to submit their report by February 1, 2012. It was clarified that the group should not let the deadline affect the quality of their work, so they may request an extension from the Governor through a change to the executive order.
4. **Discussion of Process Going Forward:** Dennis Murphy talked about defining the universe of workers that the executive order applies to. He said that it will be all PCAs

paid by DSS and DDS. He also spoke of the workforce council, also established by the executive order, and its pertinence to the work of the working group. He asked if it had met yet.

Chris Drake said that it had not met yet and that Dawn Lambert had been chosen by the DSS commissioner to lead that council. It will first meet Tuesday, December 13. He went on to reiterate that the working group will be studying if collective bargaining is possible, will be defining who a personal care attendant is, keeping in mind the difference of definition between DDS and DSS. An objective for the council's next meeting will be to define that population.

Larry Fox asked how many workers are referred to in this discussion of personal care attendants paid by DSS and DDS.

Kathy Bruni said that while she does not have an exact number, it is roughly 3,000-4,000 personal care attendants paid by DSS and DDS.

Dennis Murphy talked about the need to create a list of questions to be answered by the group that address the major issues of maintaining self directed service in the home and not jeopardizing the State's receipt of Medicaid funding at current levels. He asked if there is a fear that any changes could affect that funding.

Chris Drake answered that an increase in wages for PCAs could lead to a decrease in hours worked, which would be a problem. He spoke of changes in Medicaid affecting CMS waivers and mentioned the need to bring in a DSS expert on Medicaid funding.

Larry Fox spoke about the need to examine models already used in other states regarding self-directed care, Medicaid funding and pointed out that many of the problems the working group is examining have already been addressed by other states.

Kathy Bruni pointed out that changes made in Connecticut will affect everyone on a waiver.

Chris Drake said that absent working group member, Dr. Candace Howes, will be able to inform the group on Medicaid waivers around the country.

Dennis Murphy spoke about the need to invite comments from any member of the public at future meetings and that the group should seek presentations from members of the public and experts that would be helpful to the process. He then proposed that the group schedule future meetings.

- 5. Schedule of Meeting Dates/Times:** The following dates were agreed upon as future meeting dates, all tentatively to be held in room 410 of the State Capitol, depending on expressed interest in testifying from the public:

December 21, 2011 – 1:00pm

January 10, 2012 – 10:00am

January 25, 2012 – 10:00am

January 31, 2012 – 10:00am.

6. **Adjourn:** Dennis Murphy moved to adjourn the meeting at 10:38am, Kathy Bruni seconded. All members present voted in favor. The motion carried.