

DISABLED PERSONS PROTECTION COMMISSION

Commissioners' Meeting Minutes

December 8, 2016

Commissioners Present: Honorable James Brett, Yndia Lorick-Wilmot Ph.D., Maurice Medoff

Staff Present: Nancy A. Alterio, Executive Director, Emil DeRiggi, Deputy Executive Director, Julie Westwater, General Counsel, Jennifer Edwards-Hawkins, Program Coordinator

Minutes Recorded By: Jennifer Edwards-Hawkins

Handouts – The following materials were distributed to the Commissioners:

- Commissioners' Agenda of December 8, 2016
- Commissioners' Meeting Minutes of November 16, 2016
- Budget Summary and Narrative Report November 2016
- Resume of Oversight Officer
- Hotline Activity Report – November 2016
- Oversight Activity Report – November 2016
- Legal Activity Report – November 2016

Chairperson Brett called the meeting to order at 4:00 p.m.

1. Public Participation (5 minutes per participant)

There was no public participation.

2. Approval of Minutes of Meeting of November 16, 2016

MOTION: To accept minutes of November 16, 2016 as received motioned by Commissioner Lorick-Wilmot and seconded by Chairperson Brett

VOTE: Unanimous to accept the minutes of November 16, 2016 as received

3. Meeting Schedule: The Commissioners scheduled the following two additional meetings:

- Thursday, January 26, 2017 at 4:30 p.m.
- Thursday, March 9, 2017 at 4:00 p.m.

Jennie will post the meeting accordingly.

4. Administration and Finance

Monthly Budget Summary and Narrative Report November 2016: The Monthly Budget Summary Report along with a narrative for November 2016 was submitted to the Commissioners for their review and comments. DPPC spent 39% out of 42% of its budget during the first five months of the fiscal year.

5. Personnel – New Hire:

DPPC hired an additional Oversight Officer. She has an extensive background working with persons with disabilities, is bi-lingual and has an MBA. The newly hired Oversight Officer is scheduled to start work on Monday, December 12, 2016. DPPC delayed hiring the new staff due to the budget constraints of the state and concerns of potential 9C cuts, but fortunately DPPC was not impacted. The Commissioners received a copy of the new hire's resume for review.

6. Requests for Information

DPPC received a request from Jennifer Walker Chase from the investigative branch of the Office of the Inspector General as a follow-up to their audit with DDS. They are conducting a preliminary investigation at this point. Chairman Brett added that at the President's Council on Intellectual/Developmental Disabilities meeting the OIG presented information on audits they conducted.

7. Statutory Amendments

- Senate Bill 2168: Although Bill 2168 has been favorably received it is still a long shot to get passed through an informal session. Chairman Brett has a meeting scheduled with House Speaker Robert A. DeLeo on December 14, 2016 to discuss Senate Bill 2168 as well as DPPC's budget. Chairman Brett has a copy of the Jane Doe letter and if there is additional supporting material, he will take it. The requested information will be forwarded to the Chairman by email.
- New Bill Filing for 2017/2018: If SB 2168 does not pass in the informal session, DPPC legal and management team are already in the process of redrafting a new bill which will be filed in January 2017. Senator Keenan and Representative Garballey have agreed to file the bill in their respected Houses.

8. Real Lives Law Implementation

As required through the passage of the Real Lives law, DDS formed an Advisory Board of about 23 members. DPPC Executive Director was appointed to chair the Board which works to advance self-determination and self-directed funding options and services for individuals with developmental disabilities served by DDS. The Real Lives law requires that DDS staff and others receive training on the law and on financial abuse. In partnership with DPPC, DDS developed an online training to introduce the Self-Determination program. In addition, the Office of the Inspector General in partnership with DDS and DPPC provided training to DDS Service Coordinators and DPPC on understanding fraud. The Fraud training was then provided to the Real Lives Advisory Board on Wednesday December 7, 2016. The Advisory Board continues to work on the work plan.

9. Westfield State University

DPPC received a letter from a professor in the Criminal Justice Department at Westfield State University announcing the inclusion of a course on mandated reporting. The

professor had previously contacted and then visited DPPC to learn more about mandated reporting. The new course was approved by the university and is now part of the curriculum. Perhaps down the line this course will be offered at all state colleges and universities.

10. BPI Updates:

- BPI Steering Committee Meeting: The BPI semi-annual steering committee meeting was held December 6, 2016 at the Massachusetts District Attorney's Association (MDAA) office in Boston with representation from DPPC, DA's offices, DDS, DMH, MRC, SANE, MDAA, SPDU, DPH, MOVA, MASS and the AG's Office. Members continue to work on the implementation of the annual plan.
 - A Tier I training has been scheduled with Bristol District Attorney's Office for March 30, 2017. Training dates/locations are being finalized for Worcester and Suffolk counties and continued efforts are being made with Berkshire and Essex counties.
 - NAMRS: NAMRS is the first national data system that will capture APS data. About 48-49 states are participating and will be submitting data. As NAMRS can only receive data from one agency per state and given Massachusetts is a bifurcated state, DPPC and EOEa are working together to combine the data to upload from a single source. The target date for uploading is January 2017.
 - The annual all-day, statewide training for APS investigators is scheduled for April 4, 2017 at the UMass Medical School in Shrewsbury.

11. Monthly, Quarterly and Annual Reports

- Hotline Activity Report – **November 2016**: The Hotline Activity Report for the month of **November 2016** was distributed and reviewed. The Commission received **864** abuse reports during the month of **November of 2016**. In addition to the abuse reports, the Hotline received **605** information and referral calls and **83** death reports, a combined total of **1,552** calls to the Hotline in **November 2016**. There has been a 12-13% increase in abuse reports from last year. Commissioner Medoff asked if there was a correlation between the increase in reports and increase in outreach/trainings. Executive Director responded that as awareness increases, people are more likely to make a report of abuse. Outreach and training does appear to have a positive impact with reporting.
- Oversight Activity Report – **November 2016**: The Oversight Activity Report for the month of **November 2016** was distributed. The report tracks cases per oversight officer, cases pending 19C reports, cases with 19C reports, deferred cases, 19C reports received, protective service plans received, initial reports received and notices to abusers. Within the month **272** cases were closed in comparison to **194** cases being assigned. At the close of the month, there were **834** active oversight cases and **520** overdue investigation reports. The backlog of overdue investigation reports decreased during the month despite an increase in abuse reports.

- **Legal Activity Report – November 2016:** The legal activity report tracks guardianship petitions filed, court appearances, petitions received and completed, records requests/demands completed and referrals to other agencies/boards. The Legal Activity Report for **November 2016** was distributed. The Legal Unit received **10** petitions and completed **13** petitions and **102** records requests during the month. There are **286** Petitions pending review. There has been a 60% decrease in the number of petitions; the number is now below 100.

12. New Business

- The next Commissioners' meeting is scheduled for January 26, 2017 at 4:30 p.m.

13. Adjournment:

MOTION: Commissioner Medoff motioned to adjourn the meeting at 5:00 p.m.,
Commissioner Lorick-Wilmot seconded.

VOTE: Unanimous to adjourn the meeting at 5:00 p.m.