

**DISABILITIES ADVISORY COUNCIL MEETING**  
**Final Minutes**  
**March 21, 2007**

- Members Present:** Larry Friedrichsen, Van Johnson, Jessie Chapman, Julie Palmer, David Wilber, Edward Senft, Elaine Senft
- Members Absent:** Betty Friedrichsen, Eric Clark, Ed Zeigler
- Guests Present:** Christine Baggini, Jennifer Clarke, Jennifer Peers  
Waja Grimm, Susan Kalanges – VOPA Board members
- Staff Present:** Sherry Confer, Eileen Levandoski, Colleen Miller  
Clyde Mathews for a portion of the meeting
- Call to Order and Welcome:** Van Johnson called the meeting to order at 10:06 a.m. He welcomed all and asked for introductions.
- Public Comments:** No public comment was offered.
- Dec. 13, 2006 Minutes Approval:** Minutes of the December 13, 2006 meeting were distributed. Mr. Johnson made a MOTION to accept the minutes as amended. The MOTION was SECONDED by Larry Friedrichsen. The minutes were approved unanimously.
- Council Training- “Brain Injury 101”:** Christine Baggini, Director of Family Resources, Brain Injury Association of Virginia, presented “Brain Injury 101”. March is “Brain Injury Awareness” month and Ms. Baggini provided Council with an overview of brain injury issues.
- Ms. Baggini then provided an overview of what the Brain Injury Association of Virginia (BIAV) does, first explaining that brain injury is a complicated disability. Her organization is a large clearinghouse of information and it provides consultations to professionals. They are not a direct service organization but instead provide referrals, resource coordination and outreach to individuals on their Brain Injury Registry.
- Ms. Baggini opened the discussion to questions from the Council. This was followed by a discussion regarding BIAV’s partnership with VOPA. She explained that advocacy academies (training sessions) were being scheduled around the state. Julie Triplett, from VOPA is helping with the effort. Ms. Baggini also mentioned that their website was available for further information and that she had brought BIAV newsletters and brochures to share with Council members.

**Board of Directors Update:**

Waja Grimm, of the VOPA Governing Board, shared that the Board met on January 30, 2007. At that meeting, Don Lemond, Executive Director of the Division of Risk Management (DRM), discussed DRM's role regarding providing liability coverage for the Board.

Jennifer Peers asked whether the Board believed there was good representation on the Board, whether there were any vacancies, and how vacancies were advertised. Susan Kalanges answered that the Board needed more diversity on it. VOPA Executive Director Colleen Miller indicated that guidelines for Board membership were set forth in Virginia Code.

**Executive Director's Report:**

Colleen Miller, Executive Director

First Quarter Progress for FY2007 Goals and Focus Areas:  
Progress report on objectives in multi-colored ink was distributed to Council members. Ms. Miller discussed work in veterans' facilities and a previous successful suit against the Hunter McGuire facility. She added that new policy regarding external advocates was set as a result and that this new policy was being tested in veterans' facilities in Salem and Chesapeake/Norfolk by VOPA. She said these facilities are having difficulty understanding the new policy. She also said there may be some federal funding awarded to veterans' issues given concerns for soldiers returning home from the war. Ms. Miller indicated that VOPA was positioned well to take a leadership role on this issue.

Ms. Miller then discussed preliminary findings on Virginia's plan to rebuild training centers. She mentioned that Secretary Tavenner, the Secretary of Health and Human Resources had received from the federal government similar findings to VOPA's. The Council then discussed VOPA's findings letter to Secretary Tavenner. Ed Senft expressed his disappointment with VOPA's letter. Ms. Miller added that the letter did not represent the entire scope of VOPA's work on behalf of individuals in training centers.

Ms. Miller reported on cases where clients were told by Social Security they were overpaid by SSA while working. VOPA is good at this type of work, she said. She spoke of an instance reported in the Richmond Times-Dispatch where a \$100,000 judgment was reversed.

**Litigation Report:**

Ms. Miller reported on the Lewis vs. York County case, which took over 3-1/2 years and was one awarding VOPA \$70,000 in attorneys fees. She added that this fee award gives VOPA power, more "muscle" when coming to the table. Mr. Johnson mentioned how in addition to the fee award, there were now systematic changes made.

Ms. Miller discussed the Harvey case regarding absentee ballots for people with mental illness. This was a positive initiative as it brought on policy changes with the State Board of Elections (SBE). She discussed an agreement from the Governor and SBE to remove the word “physical”. This initiative got through the State Senate but not the House. She anticipates a similar effort next year.

Ms. Miller discussed how both litigation and time in the General Assembly this session was spent discussing the Lottery.

She concluded her report by mentioning that a summary of investigation reports is now up on VOPA’s website.

David Wilber asked about VOPA’s paratransit work. He mentioned that he has started a database to track incidents in his area and that he was getting more aggressive in his working with the Norfolk Mayor’s committee, adding that Logisticare is now being tracked. He believes the data will give a good snapshot into the problems. Ms. Miller indicated that she was looking forward to receiving this information from him and further discussing his work.

**Working Lunch:**

The Advisory Council adjourned for lunch at 12:10 and reconvened at 12:45.

**Governing Board  
Committee  
Reports:**

A list of committee members was distributed.

Public Policy – Mr. Wilber reported that no meeting and no action was taken by this committee.

Finance and Resource Development Committee – Mr. Senft reported that this committee met on February 12 and discussed the audit and accounting manual. He indicated that one challenge for the committee was condensing 12-13 reports on grants into a one page overview. It was noted that the Board liked the reports; that they were easy to read and understand. Mr. Senft mentioned some discrepancies in the numbers and was waiting for an explanation for this from VOPA. Ms. Confer said she would pass that concern onto Ms. Miller and to VOPA’s Business Manager.

Internal Policy – Julie Palmer reported that this committee met on January 29 where they reviewed policies sent to the Board. She noted that there were edits to certain items but that generally their changes could not be significant as the policy must follow Federal criteria. Cases that should have been closed have not been, she said. Council engaged in a discussion regarding the definition of “robust”, and what elements guided VOPA attorneys to have what is considered a “robust”

caseload. Questions arose from Council about when to go to court. Ms. Confer explained to Council that attorneys were encouraged to resolve matters at lowest levels. There were questions regarding members rotating off this committee in July.

Public Awareness and Goals – Ms. Confer described upcoming work sessions and the development of a calendar outlining plans for how as an agency VOPA was going to develop goals and objectives. She mentioned there was a joint council meeting training and orientation the following month.

Nominating – Ms. Grimm, as a member of the VOPA Board Nominating Committee, reported that a slate of candidates had been recommended. She indicated that the Board would vote on these candidates in April. The nominees for appointment to the Board include Brent Brown as Chairman and Ms. Kalanges as Vice Chair.

**Work Session:**

Mr. Wilber first distributed an email from a member of the public addressed to the Council. Discussion ensued regarding the subject matter of that email which specifically addressed school aged children.

Ms. Confer introduced Clyde Mathews, VOPA Managing Attorney. He introduced himself as the Manager of VOPA's Resource Advocacy Unit (RAU). Mr. Mathews explained that VOPA was halfway through FY2007 and that the time was at hand to plan the goals for next year. He presented a timeline calendar for the goals' planning process, explaining that the process would be driven by a set schedule of meetings.

The next step, he explained would be to have focus group meetings to help develop focus areas and objectives. Mr. Wilber asked when these meetings would occur. Mr. Mathews outlined a schedule whereby staff would prepare summaries of feedback from DAC and PAIMI Councils. This feedback would go to the Board for approval sometime in April. He believes that in May, VOPA would start focus group work. That's the point, he noted, where there could be a lot of work involved with a number of stakeholders involved as there was a need to have as broad based input as possible.

The DAC Council recommended that the current Goals #1, 2, 5 and 7 be maintained. There was much discussion but no consensus as to the remaining Goals. Two committee members supported expressed concerns that the term "most integrated environment" in Goal 4 expressed a bias against state institutional care, and should be amended to include advocacy for increased access to institutional care where needed; this view was supported by two VOPA Board members who

were visitors at the meeting. There was committee discussion that this could also fit within the existing Goal #3, access to government services. There was also discussion of Goal 5 regarding the meaning of the term “maximum potential”, and discussion of the term “equal access” in Goals 3 and 6.

Mr. Mathews asked for recommendations for focus groups participants. Ms. Confer said that last year the Council provided names of individuals, veterans, consumer mental health groups, NAMI, representatives from a number of groups, and representatives from all the disability groups. Council members will think about it and get back to Mr. Mathews with input. He said the Public Awareness committee is considering the scheduling of 3 or 4 focus group meetings. Council then discussed various groups that should be approached, hoping to cover different areas of the state. Ms. Confer stated that in the past, the consumer meetings were the most helpful. Ms. Peers asked various questions about how VOPA collected feedback that guided goals’ development and planning and how meetings were advertised. Ms. Confer indicated that an interactive survey was on VOPA’s website now. Mr. Mathews also indicated that he has a good list of mental health groups. Ms. Grimm suggested phone canvassing. The consensus of the Council was to have a good cross section representation at these focus group meetings.

**Other Business:**

Mr. Wilber discussed an individual interested in participating in Council and posed questions regarding how the Council could accommodate this person’s particular needs and if reimbursement of his costs was an option. Mr. Senft suggested other Council members participate in a conference call with this individual applicant. Mr. Wilber reviewed the applicant’s qualifications noting that he is from the Eastern Shore and a minority. Ms. Confer described him as being very energetic with good people skills. Mr. Wilber added that he’d be good advocate for VOPA in the Eastern Shore. Ms. Peers indicated that she would like to be considered for membership on the Council and has an application form in hand. She provided a quick overview of her background. Mr. Wilber mentioned Ms. Peer’s talent for outreach to other organizations as a positive part of her membership.

Members were reminded to turn in travel vouchers. Ms. Confer mentioned a calendar of meetings in packet.

**Adjournment:**

There being no further business, Mr. Johnson made a MOTION to adjourn. Mr. Senft SECONDED the MOTION and the motion was passed unanimously. The meeting adjourned at 2:28 p.m.

FINAL MINUTES

---

March 21, 2007