

## Alabama Board of Rehabilitation Services

Virtual via Zoom

Thursday, March 4, 2021

10:00 AM – 12:00 Noon

### AGENDA

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Call to Order	Eddie Williams, Chair
Prayer	
Verification of Quorum	Karen Freeman
Verification of Open Meeting Act Notice	Eddie Williams
Approval of Agenda	Eddie Williams
Approval of Minutes for the Dec. 3, 2020 meeting	Eddie Williams
<b>New Business:</b>	Eddie Williams
Announce and Publish for Public Comment Intent to Adopt and Amend the following Alabama Department of Rehabilitation Services (ADRS) Administrative Rules to adopt a new rule allowing ADRS to use electronic records and signatures as allowed under state law and amend rules to re-number rules in chapter as needed after the addition of a new rule: 795-1-1-.12 through -.17.	Eddie Williams Ashley Hamlett, General Counsel
Announce and Publish for Public Comment Intent to Amend the following Alabama Department of Rehabilitation Services Administrative Rules to change the program name and services from State of Alabama Independent Living (SAIL) Services to State of Alabama Independent Living (SAIL) Community Support Services: 795-1-1-.04(7); 795-1-1-.16(1)(g); 795-2-1-01(g); and 795-9-1-.01 through -.07.	Eddie Williams Ashley Hamlett
Alabama Ethics Commission Statement of Economic Interests	Eddie Williams Ashley Hamlett
Board Member Questions and Division Updates	Executive Leadership Team
Commissioner's Comments & Legislative Update	Jane Elizabeth Burdeshaw, Commissioner

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***Announcements:***

Alabama Board of Rehabilitation Services meeting dates for **2021:**

- **Thursday, June 17, 2021 – 10:00 a.m.**, Montgomery/State Office, Large Conf. Room
- **Thursday, Sept. 16, 2021 – 10:00 a.m.**, Montgomery/State Office, Large Conf. Room
- **Thursday, Dec. 2, 2021 – 10:00 a.m.**, Montgomery/State Office, Large Conf. Room

Board Business/Discussion

Eddie Williams

Adjourn

Eddie Williams

## ***Alabama Board of Rehabilitation Services***

### ***Board Meeting Summary***

#### ***Virtual Via Zoom***

***Thursday, March 4, 2021***

### **Call to Order:**

Mr. Eddie Williams, Board Chair, called the regularly scheduled open public meeting to order at 10:01 a.m.

### **Prayer:**

Dr. Graham Sisson, Jr., Executive Director of the Alabama Governor's Office on Disability (GOOD), opened the board meeting with prayer.

### **Verification of Quorum:**

Board members present: Mr. Eddie Williams, Board Chair; Mrs. Penny Foster, Board Vice-Chair; Ms. Michelle Glaze; Mr. Jimmie Varnado; and Mr. Charles Wilkinson. A quorum was declared.

### **Verification of the Open Meetings Act Notice:**

For the health and safety of the public (including the effectiveness of COVID-19 mitigation strategies), and in accordance with Section III (Open Meetings Act) in the First Supplemental State of Emergency: Coronavirus (COVID-19) Proclamation signed by Gov. Kay Ivey, Governor of the State of Alabama, on March 18, 2020, the Alabama Board of Rehabilitation Services' regularly scheduled board meeting was conducted virtually via Zoom and was open to the public. Interpreter services were provided via Zoom by Mr. Josh Brewer and Mrs. Jodie Jernigan.

Mrs. Karen Freeman verified that the Alabama Board of Rehabilitation Services meeting for March 4, 2021, was initially posted on the Alabama Secretary of State's website on Jan. 22, 2021 with the final revision for the public on Feb. 10, 2021.

Meeting registration information for the public was provided on the Alabama Department of Rehabilitation Services' website at the following link: <https://rehab.alabama.gov/about/meet-our-board> with a deadline of Feb. 26, 2021, at 5:00 p.m. CDST. There were no outside registrants for the board meeting.

At the conclusion of the board meeting, a summary of the meeting was posted on the Alabama Department of Rehabilitation Services' public website on March 4, 2021, before the close of business. The summary recounted the deliberations conducted during the meeting and the actions taken with specificity to allow the public to understand what happened.

### **Approval of Agenda:**

Mr. Williams asked for a motion to approve the agenda. The motion to approve the agenda was made by Mrs. Foster and seconded by Mr. Varnado. The motion was approved.

### **Approval of Minutes for Dec. 3, 2020 Meeting:**

The minutes from the Dec. 3, 2020, meeting were mailed prior to the board meeting. Mr. Williams stated that if there were no corrections, the minutes would stand approved as presented. The minutes were approved by unanimous consent.

### **New Business:**

#### **Alabama Department of Rehabilitation Services, Administrative Rules:**

Mr. Williams opened the floor for discussion indicating the Board would need to consider two motions for the Legal Office to propose and publish a new rule and amendments to the department's Administrative Code Rules as follows:

- A new rule and amendments to the department's Administrative Code Rules 795-1-1-.12 through -.17, Organization and Administration. The proposed new rule reflects the department's use of electronic records and signatures as allowed under state law. The amendments re-number rules in the chapter as needed after the addition of the new rule.

Mr. Williams moved that the Board Announce and Publish for Public Comment Intent to Adopt and Amend the following Alabama Department of Rehabilitation Services (ADRS) Administrative Rules to adopt a new rule allowing ADRS to use electronic records and signatures as allowed under state law and amend rules to re-number rules in the chapter as needed after the addition of a new rule:

795-1-1-.12 through -.17. The motion was seconded by Mr. Varnado and the motion carried.

- Amendments to the State of Alabama Independent Living (SAIL) Administrative Code Rules 795-9-1-.01 through -.07. The proposed rule changes reflect the SAIL program changing the former Independent Living Service to the current Community Support Services. Amendments to Rules 795-1-1-.04, 795-1-1-.17 and 795-2-1-.01 change references from Independent Living Service to Community Support Services. The change in the program name and services provided in the program are required by changes in federal funding.

Mr. Williams moved that the Board Announce and Publish for Public Comment Intent to Amend the following Alabama Department of Rehabilitation Services (ADRS) Administrative Rules to change the program name and services from State of Alabama Independent Living (SAIL) Services to State of Alabama Independent Living (SAIL) Community Support Services: 795-1-1-.04(7); 795-1-1-.16(1)(g); 795-2-1-01(g); and 795-9-1-.01 through -.07. The motion was seconded by Mrs. Foster and the motion was approved.

Upon approval by the Board, a notice of the rule changes will appear in the Alabama Administrative Monthly in the March 31, 2021 edition. The notice will call for public comments and written requests to orally address the Board concerning the rule changes. The rule changes will also be placed on the department's public website.

## **Alabama Ethics Commission/Statement of Economic Interests:**

Mr. Williams and Ashley Hamlett, General Counsel gently reminded appointed Board members that they are required to file a Statement of Economic Interests form with the Alabama Ethics Commission, [www.ethics.alabama.gov](http://www.ethics.alabama.gov) each year by April 30. These forms cover each calendar year, so Board members serving for any portion of the calendar year 2020, are required to file this statement by April 30, 2021.

## **Board Member Questions and Division Updates:**

The Executive Leadership Team members were provided an opportunity to answer any questions and give updates to their written reports.

## **Commissioner's Comments & Legislative Update:**

### **Alabama Department of Rehabilitation Services Budget Request for FY 2022:**

Commissioner Burdeshaw reported that the Alabama Department of Rehabilitation Services (ADRS) submitted its budget request for FY 2022. The request included level funding for ADRS programs and an additional \$1,485,336.00 increase for Alabama's Early Intervention System (AEIS). Commissioner Burdeshaw was pleased to report that the Governor's Budget Recommendations include our department's total request. The additional request is based on average growth in the Early Intervention program over multiple years. 311 eligible children x \$398.00 monthly per child rate x 12 months = \$1,485,336.00. This amount would once again allow the Early Intervention program to make it through the year. Commissioner Burdeshaw and Jill West, Governmental Relations Manager, recently met virtually with Senator Arthur Orr, Chair of the Senate Finance and Taxation Education Committee, and shared information regarding the need for increased funds for AEIS. Also, a cover letter with justification for the increase was sent to Sen. Orr, Rep. Bill Poole (Chair of the House Ways & Means Educational Committee), and House Speaker Mac McCutcheon.

### **2021 Alabama Legislative Session - Bill Tracking:**

Commissioner Burdeshaw discussed various legislative bills that she is tracking:

- **SB221:** Commissioner Burdeshaw reached out to Senator Clyde Chambliss, Jr. to request the addition of the Alabama Department of Rehabilitation Services (ADRS) to page four as part of the Study Commission on Interagency Cooperation and Collaboration on the Rehabilitation and Reintegration of Formerly Incarcerated Individuals. Partners at the Alabama Department of Mental Health contacted Commissioner Burdeshaw about the bill and were hopeful that ADRS could be added to the Study Commission.

- **SB77:** Competitive bids by co. and city bds of ed and gov't entities, exclusion for purchases through cooperative purchasing agreements to include leases and lease/purchase agreements. Commissioner Burdeshaw expressed concern with purchasing guideline outside of the system for our clients. She is planning to reach out to Sen. Arthur Orr to request an exemption for case service expenditures for direct client purchases under the Alabama Department of Rehabilitation Services.
- **HB340:** Health, mental health, law enforcement, authorized to take an individual with mental illness into protective custody under certain conditions, protection from civil and criminal liabilities. Commissioner Burdeshaw expressed concerns about some of the language in this bill and stated support for the new Crisis Diversion Centers in Alabama.

Commissioner Burdeshaw and Dr. Sisson will postpone pursuing sponsorship in the Alabama House and Senate related to the Alabama Work Opportunity Tax Credit during this 2021 legislative session as they pursue additional support from partner agencies that also serve individuals with disabilities.

### **Alabama Board of Rehabilitation Services Notifications:**

Commissioner Burdeshaw has located a potential candidate, Mr. Kevin Kidd, to fill the vacancy for Congressional District 4, following the death of Mrs. Leah Patterson Lust. The vacant seat must be filled by an individual with a disability. Mr. Kidd is interested and available to serve. Commissioner Burdeshaw is planning to send Mr. Kidd's personal information to the Governor's Office for consideration for the appointment. Upon approval, the Alabama Department of Rehabilitation Services will seek confirmation by the Alabama Senate.

Mr. Williams has agreed to serve another term if appointed by Governor Ivey and confirmed by the Alabama Senate. Mr. Williams' current term expires on Sept. 30, 2021. The Alabama Department of Rehabilitation Services will seek re-appointment for Mr. Williams during the 2021 legislative session.

State law requires the Alabama Board of Rehabilitation Services to consist of seven members, one from each U.S. Congressional District, with three being individuals with a disability, one member shall be a parent of a child with a disability, and three members shall be from business or industry.

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- **Thursday, Dec. 2, 2021 – 10:00 a.m.,** Montgomery/State Office, Large Conf. Room

There being no further business, the meeting was adjourned at 10:59 a.m.

Respectfully Submitted:

*Karen Freeman*

Commissioner's Executive Assistant