The Aging and Disability Services Council convened at the John H. Winters Building, 701 West 51st Street, Austin, Texas. Council Members in attendance were Chair John A. Cuellar, Ann Schneider, Judy Foster, Donna Stauber, Sheri Harmonson and Barry L. Anderson. Commissioner Jon Weizenbaum and other DADS staff were present. Lorri Haden served as Parliamentarian. Council members Glyn Crane and J. Russell Shannon were unable to attend the meeting.

**Agenda Item No. 1 – Call to Order**

John A. Cuellar called the meeting to order at 8:32 a.m.

**Agenda Item No. 2 – Approval of the minutes of December 5, 2013**

The Minutes from the Council meeting of December 5, 2013, were presented.

*The DADS Council unanimously approved the minutes of the December 5, 2013, DADS Council meeting.*

**Agenda Item No. 3 – Commissioner’s Quarterly Update**

Commissioner Jon Weizenbaum informed the council about various activities including:

- The selection of Lorri Haden as the Interim General Counsel.

**Agenda Item No. 4 – General Public Comment**

No public comment was presented.

**Recommendation to Propose:**

**Agenda Item No. 5a – Recommendation to propose amendment to §355.101, Introduction, Cost Determination Process under Title 1, Part 15, Chapter 355, Subchapter A**
Pam McDonald, HHSC, presented this agenda item. Discussion followed.

No public comment was presented.

*Ann Schneider made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rule governing the cost determination, as presented in Agenda Item 5a. Sherri Harmonson seconded and the motion was approved.*

**Agenda Item No. 5b – Recommendation to propose amendments to §355.112, Attendant Compensation Rate Enhancement, under Title 1, Part 15, Chapter 355, Subchapter AF**

Doug Odle, HHSC, presented this agenda item. Discussion followed.

No public comment was presented.

*Ann Schneider made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rule governing attendant compensation rate enhancement, as presented in Agenda Item 5b. Sherri Harmonson seconded and the motion was approved.*

**Agenda Item 5c – Recommendation to propose amendments to certain sections in 40 TAC Chapter 55, Contracting to Provide Home-Delivered Meals**

George Schock, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

*Judy Foster made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rule and new rules governing electric monitoring, as presented in Agenda Item 5c. Barry L. Anderson seconded and the motion was approved.*

**Agenda Item No. 5d – Recommendation to propose new 40 TAC Chapter 49, Contracting for Community Services; repeal of 40 TAC Chapter 49, Contracting for Community Care Services; and amendment and repeal of sections in 40 TAC Chapter 9, Subchapter Q, governing enrollment of contractors in the HCS and TxHmL Programs; Chapter 30, governing Medicaid hospice services; Chapter 43, governing the service responsibility option; Chapter 44, governing consumer-managed personal attendant services; Chapter 45, governing community living assistance and support services; Chapter 46, governing assisted living and residential**
care services; Chapter 47, governing primary home care services; Chapter 48, governing adult foster care; Chapter 52, governing emergency response services; Chapter 55, governing home-delivered meals; Chapter 58, governing special services to persons with disabilities; Chapter 62, governing contracting to provide transition assistance services; and Chapter 98, governing day activity and health services, by the Department of Aging and Disability Services

Bill Campbell, DADS, presented this agenda item. Discussion followed.

Public Comment was presented by:
Gordon Israel - PACSTX

*Judy Foster made the motion that the Council amend to delete 49.304 (b) (5) rules governing contracting for community services, as presented in Agenda Item 5d. John Cuellar seconded and the motion was approved. Ann Schneider made the motion that the Council recommend for proposal by the Health and Human Services Commission, new rules, the amendment rules, and the repeal of rules governing contracting for community services, as presented in Agenda Item 5d. Judy Foster seconded and the motion was approved.*

**Agenda Item No. 5e – Recommendation to propose the repeal of Title 40, Texas Administrative Code, Chapter 69, Contract Administration**

Kathie Carleton - Morales, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

*Sherri Harmonson made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rules governing contract administration, as presented in Agenda Item 5e. Donna Stauber seconded and the motion was approved.*

**Agenda Item No. 5f – Recommendation to propose new 40 TAC Chapter 15, Prescribed Pediatric Extended Care Centers, consisting of Subchapter A, Purpose, Scope, Limitations, Compliance, and Definitions; Subchapter B, Licensing Application, Maintenance, and Fees; Subchapter C, General Provisions; Subchapter D, Transportation; Subchapter E, Building Requirements; Subchapter F, Inspections and Visits; and Subchapter G, Enforcement**

Rosalin Nelson - Gamblin, DADS, presented this agenda item. Discussion followed.

Public Comment was presented by:
Judy Foster made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of new rules governing prescribed pediatric extended care centers, as presented in Agenda Item 5f. Barry L. Anderson seconded and the motion was approved.

**Agenda Item No. 5g – Recommendation to propose amendments to certain sections; the repeals of §§9.185 and 9.913; and new §§9.180, 9.182-9.184 in 40 TAC Chapter 9, Subchapter D, Home and Community – Based Services (HCS) Program**

Dana Williamson, DADS, presented this agenda item. Discussion followed.

Public Comment was presented by:
Susan Murphee – DRT
Sandra Frizzell – PACSTX

Sherri Harmonson made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of rules, new rules, and the repeal of rules governing the Home and Community – Based Services Program, as presented in Agenda Item 5g. Donna Stauber seconded and the motion was approved.

**Agenda Item No. 5h – Recommendation to propose amendments to certain sections; the repeal of certain sections; and new sections in 40 TAC Chapter 9, Subchapter N, Texas Home Living (TxHmL) Program**

Dana Williamson, DADS, presented this agenda item. Discussion followed.

Public Comment was presented by:
Susan Murphee – DRT

Judy Foster made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of rules, new rules, and the repeal of rules governing the Texas Home Living Program, as presented in Agenda Item 5h. Sherri Harmonson seconded and the motion was approved.
Agenda Item No. 5i – Recommendation to propose amendments to and repeals of certain sections; and propose new sections in 40 TAC Chapter 51, Medically Dependent Children Program

Dana Williamson, DADS, presented this agenda item. Discussion followed.

Public Comment was presented by:
Jettie Eddleman – TAHCH
Elizabeth Tucker – EveryChild

Donna Stauber made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of rules, new rules, and the repeal of rules governing the Medically Dependent Children Program, as presented in Agenda Item 5i. Judy Foster seconded and the motion was approved.

Agenda Item No. 5j – Recommendation to propose new amendments to §§41.108, 41.233, 41.238, and 41.404; the repeals of §§41.201 and 41.233; and amendments to §§41.207, 41.217, 41.301, and 41.339 in 40 TAC Chapter 41, Consumer Directed Services Option

Elizabeth Jones, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

Judy Foster made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of rules, new rules, and the amendment of rules governing the Consumer Directed Services Option, as presented in Agenda Item 5j. Barry L. Anderson seconded and the motion was approved.

Agenda Item No. 6 – Adjournment

John Cuellar adjourned the meeting at 11:41 a.m.