



**JOHN DeSTEFANO, JR.**  
*Mayor*

**COMMISSION ON DISABILITIES**  
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*Promoting*  
 **Accessibility**  
*In New Haven*

**DAVID HICKS**  
*Chairperson*

**Commission on Disabilities Minutes**  
City Hall 4<sup>th</sup> Floor Conference Room  
**June 10, 2013**

Present: Jenifer Blemings, Cecile Brodsky, David Hicks, Matthew Ranelli, Maria Rivera, Robin Tousey-Ayers and Jack Tsai

Staff: Michelle Duprey, Paula Pernal

Absent: Christopher Hicks

Guests: Mayoral Candidates Matthew Nemerson and Kermit Carolina

Meeting was called to order at 5:25 p.m.

Matthew is present via telephone.

**Presentation**

David thanks the Mayoral candidates for attending and providing written responses to questions presented by the Commission.

Mr. Nemerson and Mr. Caroline discussed their responses to the questions prepared by the Commission. Both candidates discussed proposed solutions to the handicap parking violations and the misuse of handicap permits issued. Matthew Nemerson suggested prioritizing the most important issues of the Commission. Kermit Carolina suggested using education to broaden awareness to the public about the Commission and the disability population in New Haven.

**Minutes**

David asked the commissioners to review the May minutes.  
Corrections were suggested by some commissioners.  
David made a motion to accept the May minutes as amended.  
Robin seconded the motion.  
May minutes are approved unanimously as amended.

**Chairman's Report**

David states that he has nothing to report this month.

**Department Report**

Michelle reports that she attended the ADA Conference; and obtained information from the following sessions:

1. Reasonable Accommodation-which applies to employment and housing
2. Advanced Discussion Forum on Employment Issues-but Michelle left this session as it was not very helpful
3. Department of Justice Update-which deals with compliance for state and local governments on a community-based level
4. Confidentiality Under ADA and Other Laws-which was the most useful and conducted by an advanced ADA attorney
5. Panel Discussion on Submission of Court Cases-dealt with all different types of ADA court cases
6. Planning Tools for Infrastructure-but Michelle left this session as it was not very helpful
7. Advanced ADA Coordinator
8. Leave As An Accommodation
9. Prescription and Substance Abuse

Michelle states that overall, the Conference was very good; particularly the session pertaining to substance abuse and medical marijuana.

Robin asks Michelle if there are any articles concerning the Confidentiality session. Michelle states that this session mainly pertained to employment and the workplace. Michelle further states that the session dealt with an employee disclosing to his/her employer that they have a health condition. This falls under the ADA. Michelle states that there are numerous cases and decisions regarding permissibility and confidentiality. Michelle states the HIPPA only applies to certain groups of individuals.

David asks Michelle if the City of New Haven administers the drug tests primarily to determine hiring eligibility of applicants. Michelle states that she is not aware of this, but if the city suspects that an employee is impaired, the City may send the employee for a drug test. Michelle further states that during the test the City may discover that the employee is tested positive for marijuana. If the employee has a medical condition and a prescription for the marijuana and the use of the marijuana is not impacting his/her performance on the job the question becomes how is this handled. Robin states that an individual may not necessarily be smoking marijuana prior to work, but for a regular marijuana user, he/she will test positive for 30 days or longer. Michelle states that most of the presentation at the session pertained to Colorado.

Michelle states that she has been working on housing matters pertaining to the following three housing laws:

1. Fair Housing Act-which applies to all new construction over 4 units and it requires non discrimination to landlords while renting or selling
2. Rehabilitation Act Sec 504-requires that any XT that receives federal funding provides accessible housing and requires non discrimination to landlords while renting or selling
3. ADA regulations-which applies to accessibility of housing funded by state or local government

### **Old Business**

None

**New Business**

Robin distributed a pamphlet from The Center for Children's Advocacy at UCONN School of Law entitled, "Medical Legal Partnership Project Improving Children's Health Outcomes".

**Other Business**

None

**Public Comment/Announcements**

None

David made a motion to adjourn meeting.

Robin seconded the motion.

Motion to adjourn the meeting was approved unanimously at 6:52 p.m.