

**Montana VR Council
Meeting Minutes
July 18-19, 2013**

Vocational Rehabilitation Council

July 18-19, 2013

Board of Investments Room--Helena

Members present: Amy Capolupo, Nina Cramer, Michael DesRosier (Friday only), Mary Hall, Char Harasymczuk, Rick Heitz, Robin Johnson, Jim Marks (Thursday only), John Senn, Chanda Hermanson, Marla Swanby (Thursday only), Anna Gibbs

Members absent: Prairie Bighorn, Kate Gangner (excused), Mike Woods, Rosalie Holliman (excused), Shaunda Albert (excused), Dale Mahugh (excused), Quentin Schroeter, Lois McElravy (excused), Mona Amundson (excused)

Staff and visitors present: Peggy Williams, Barb Varnum, Mike Hermanson, Barb Schiedermayer, Shawn Tulloch, Beverly Berg, Bruce Breslauer (Friday), Bob Maffit (Friday), Lloyd Sparks (Friday)

Thursday, July 18

Nina Cramer called the meeting to order and reviewed the Council Mission and Vision. The May minutes were approved. The Council did not have a quorum, so no action could be taken.

National SRC Training—Rick Heitz

Rick gave an overview of the national SRC (State Rehabilitation Council) training that he and Peggy attended in June. Sessions covered a range of topics including SRC roles and responsibilities, SRC membership responsibilities, RSA website, VR financial management, state plan development, policy development, needs assessment, and eRehab training series (the training modules we go over every meeting). Rick stated that the VR Council has a good relationship and collaboration with Vocational Rehabilitation and Blind (VRB) Services, which is not true in all states.

Rick also mentioned that having many staff with disabilities can help make clients feel more comfortable. The office itself should make people feel comfortable—and Kalispell, with its glassed in reception area, does not make people feel welcome. It was noted that in the Great Falls office clients must be buzzed in the front door. Jim stated we would look at making offices more welcoming.

Rick mentioned that getting information out to people with disabilities is always a concern—an idea would be to get involved with support groups and get teachers and parents more involved.

VR Update—Jim Marks

Jim discussed the reauthorization of the Rehabilitation Act, now being considered by Congress. The House passed the Skills Act this spring, and the Senate is coming out with a draft next week. The Senate version is on a fast track and is expected to be voted on in September. The House version eliminates funding for Supported Employment and allows governors to consolidate work programs such as Job Service and Vocational

Rehabilitation. [Update after the meeting—The Senate version is S.1356—some comments from Jim are included as Appendix A.] We do know that the Senate version switches our federal partner, Rehabilitation Services Administration, from being under the Department of Education to being under Department of Labor. Independent Living would move to Department of Health and Human Services. The bill may also allow counselors not to have master’s degrees. Both of those changes are concerns to the Vocational Rehabilitation community. The bill also allows subminimum wage based on performance for people with disabilities. Nina and Amy will work on a resolution opposing this for the Council to consider. Since there was not a quorum at the meeting, no votes could be taken. The resolution will be sent out to the Council for an email vote.

Jim and the Council also discussed the subminimum wage issue. Part of the Rock Center show on subminimum wage was shown, and the link to the entire broadcast is listed below.

On the state budget side, VRB Services overspent its general fund budget this year by about \$260,000. The program was able to receive funding from other programs in the department to make up this shortfall. However, VRB Services will now be looking at Order of Selection---that is, developing a waiting list and prioritizing services for people with the most significant disabilities.

Jim is also working on the PROMISE grant—Promoting the Readiness of Minors in SSI. This is a grant from Department of Education and it would demonstrate and study the effectiveness of interventions to 13-16 year olds who receive SSI (Supplemental Security Income). Montana is applying for this grant as part of consortium of six states. VRB Services would work closely with Department of Labor and Office of Public Instruction to administer the grant. Half of the people would be in a control group and half in the treatment group.

Affordable Care Act Summary—Barb Schiedermayer

Barb gave a lunchtime presentation on the Affordable Care Act (ACA) and stated that a good resource is the following website: vr-rrtc.org/sites/vr-rrtc.org/files/Silverstein%20ACA_VR.pdf . The ACA includes new potential funding sources to pay for health related VR services and supports, which may mean that more money is available for other VR services.

The ACA is aimed at increasing the affordability and rate of health insurance coverage for Americans and reducing the overall costs of health care. It requires insurance companies to cover all applicants within new minimum standards and offer the same rates regardless of pre-existing conditions. All individuals must have insurance coverage (which could be Medicare or Medicaid, employer paid insurance, or private insurance). Minimum standards (benchmarks) for health insurance policies will be established.

Public Hearing Comments, Strategic Plan Update, Extended Employment, Governor’s Report—Mike Hermanson

Mike reviewed the agency responses to the public hearing comments. Sixty people participated in the hearing, and VRB Services received nine written comments. Some of the suggestions were to move away from sheltered employment (Mike stated that sheltered employment costs three times as much as supported employment, and we have been reducing the number of people who are receiving sheltered services); to serve students at a younger age (Mike stated that the PROMISE grant could help with that); and have an advisory council for Blind and Low Vision Services (Jim is working on that).

Mike pointed out a few of the accomplishments in the strategic plan. In the area of transportation, Pat Sanders has been a great resource to help solve individual transportation issues; for accessibility, we are trying to make the offices more accessible and our new computer case management will help all staff access information. We are making progress on reducing our “Status 30” closures (closed after they were determined eligible, but

before they got any services). In the area of transitions, we are not progressing as much as we had hoped, but we are working hard on this issue. The new strategic plan will be in effect on October 1 when the state plan goes into effect.

Mike also talked about Extended Employment (EE)—this is a state funded program, not part of the federally funded VR program. About 325 people are served under this program which is contracted to Rocky Mountain Rehab. The EE program pays for job coaching for people who cannot work entirely on their own. The job coach visits the worksite two or more times a month to check on the client and to see if any more services are needed. EE also pays for sheltered employment—less than 100 clients are in the sheltered part of the program. Currently the providers are paid per client—if they are working with a client during the month, they get a set amount of money per client. VRB Services is looking at a different pay schedule, where providers would get paid based on how much time they spend with the client. For example, providers who spend 1-2 hours during a month with a client would get a certain amount; and providers who spend 3-8 hours during a month would get a different amount, etc. Many of the clients have a developmental disability or mental illness, and those agencies can pay for the job coaching services. Some clients, like people with head injuries, do not have a state agency that can help with the funding of the job coaching services, and they must rely on the EE program (the EE program also helps with clients who have a developmental disability or a mental illness if other funding is not available).

Mike went through the Council recommendations and achievements included in the Governor's Report. The Council suggested that in the area of underserved populations, we need to follow up on the data and also look at how much money is spent on each of the groups. We could omit #4, in-service training. We should be more specific on transitions and mention the accomplishments—the DVD and Adopt A School program. Other accomplishments could include involvement with national and state issues (Main Street Montana, NCSRC, resolution we are drafting, OPI meeting, meeting with SILC). It was suggested that we check on the Governor's Main Street Montana goals to see if we can tie our goals into that, and Mike will check on that. It was also suggested that VRB Services develop a plan to outreach to businesses. The Council suggested that some of the language be freshened so it is not the same as last year, but is specific to what we want now. Mike will send a draft of the changes to the recommendations and accomplishments.

Field Services Update—Barb Varnum

Barb gave an update of the national Consortia of Administrators for Native American Rehabilitation (CANAR) conference that was held in Missoula. Many VRB Services staff and Michael DesRosier from the Council attended. The Native American Vocational Rehabilitation programs are similar to the state VR programs, but they also have a cultural element built in. For example, in Alaska, there are no jobs, so VR can help people with disabilities sustain themselves by hunting and fishing.

Barb mentioned that the annual case review session is coming up in August. Regional administrators, counselor supervisors, and a counselor from each region come to Helena to review casework from across the state. This helps to promote uniformity and can identify training needs. Last year, we identified the need to reduce assessments and the need for evolving goals.

Order of Selection (OOS) will be instituted in 2014. OOS is the procedure a state uses when it does not have enough money or resources to serve all eligible people with disabilities. Federal rules require that a state serve people with the most significant disabilities first. The state gets to decide how to classify the level of disability (DLO is the Disability Level Order). Currently there are four categories of disability, and VRB Services is trying to change that to three categories (the two most significant categories would be combined).

Our successful rehabilitations—also known as clients who went to work or “status 26’s”—are increasing this year. Our new case management system will roll out in October, so there will be intense staff training during that month.

Barb also talked about the results of the focus forums, included as a handout. Each year, each region conducts a small group discussion on an issue that they choose. This past year, the issues included self-employment, orientation and mobility, veterans, transitions, and Deaf/hard of hearing issues.

A Day in the Life of a Counselor—Anna Gibbs

Anna showed the Council an hour by hour scenario of what a VR counselor must deal with including client appointments, telephone calls, paperwork, researching information, etc.

National Coalition of State Rehabilitation Councils—Peggy Williams

At the last Council meeting, Lois McElravy suggested that the Council join the National Coalition of State Rehabilitation Councils (NCSRC). The Council had voted not to join in 2008 because the organization was new and the Council did not know if it would be adversarial to VR agencies (Montana’s VR Council has a great relationship with the VR agency). The Council was also concerned about what the financial commitment would be and where the organization would head. Peggy reviewed the mission and vision of NCSRC and talked about the training sessions that were offered twice a year and the bimonthly teleconferences. Concerns from Council members included not knowing what the benefits were, too many agency people being involved, and having this organization speak for us on a national level. Because there was not a quorum present, we tabled this decision until the next meeting.

Friday, July 19

SRC Training Module—Peggy Williams

Peggy went through the training module, “Program Evaluation and Reporting”, and the Council passed the quiz.

RSA Website and Other Information on the Web—Peggy Williams

Peggy demonstrated what information could be found on the Rehabilitation Services Administration website, www.rsa.ed.gov. Information on Montana’s VR grants, data, and reports is available. In addition, ad hoc queries can be done and data can be compared between similar states and national averages. The handout Peggy provided describes the steps to do this.

Blind and Low Vision Update—Beverly Berg

Beverly mentioned that Prevent Blindness America just published a new study about the cost of vision loss in the United States. The handout has information specific to Montana. The complete report is about 80 pages long, and it can be viewed at <http://preventblindness.org>.

This week a representative from Perkins School for the Blind came to present on the iCanConnect. iCanConnect is a program to provide access to distance communications for individuals who are visually and hearing impaired (deaf-blind). This includes telephone, e-mail, television or any type of communication. Through iCanConnect individuals who qualify are given equipment and training to enhance their ability to engage in distance communication.

Orientation and Mobility Demonstration—Bruce Breslauer

Bruce went over orientation techniques for people who are blind including cane travel, guide dog and human guide. He then answered people's questions on many aspects of blindness. His contact information is bbreslauer@mt.gov 406-454-6060

Medicaid for Workers with Disabilities—Lloyd Sparks

Lloyd Sparks, Advocacy Specialist at Montana Independent Living Project, talked about Montana Medicaid for Workers with Disabilities (MMWD). This program allows people with disabilities to obtain affordable Medicaid coverage when they work. Eligibility requirements include net family income (up to 250% of poverty), assets (higher level than regular Medicaid), and employment (must be working at least an hour every month). Premiums range from \$35 per month for lower incomes to \$135 per month for higher incomes.

Next Meeting Date: October 2-3

Agenda Items

- NCSRC – should we join?
- Picture of Council for Governor's Report
- Native American activities
- Have training module before Mike's information
- Order of Selection update

Follow up Items

- Bruce Breslauer contact info: bbreslauer@mt.gov 406-454-6060
- Link to Rock Center clip on subminimum wage: <http://www.nbcnews.com/video/rock-center/52280748#52280849>
- Criteria for Order of Selection: sent out as an email attachment

Appendix A

Comments from Jim Marks on Senate Version of Rehab Act

July 23, 2013 (after the meeting)

The following update on the reauthorization of the Workforce Investment Act, of which the Rehabilitation Act is a part, is from me, Jim Marks, to the staff members of Disability Employment and Transitions. Questions, comments, and concerns are welcome. Also, please mind the federal and state rules for lobbying under which we operate.

The US Senate is considering a bill to reauthorize the Workforce Investment Act, and the changes within the bill are sweeping. The US House already passed its reauthorization bill, and, like the Senate version, it also contains extensive changes. Vocational rehabilitation and independent living programs, as a result, could be very different from how they are now.

Here is a bulleted list of some of the more remarkable changes from both the Senate and House bills:

- The Rehabilitation Services Administration will move from the Department of Education to the Department of Labor.
- Independent living programs will move from the Department of Education to the Department of Health and Human Services. Independent Living for the Older Blind will go to the Department of Labor along with the rest of the Rehabilitation Services Administration.
- Subminimum wages for people with disabilities will be included in the civil rights portion of the Workforce Investment Act. This reverses decades of validating competitive integrated employment for people with disabilities.
- Qualifications for Rehabilitation Counselors will be downgraded from a master's degree and being able to sit for certification to having a bachelor's degree. Professional development will be diminished as well.
- References to "rehabilitation services" will be changed to "employment services."
- Vocational rehabilitation programs must spend 15 percent of their funding on transitions with no more than 5 percent for administration.
- Governors would be able to consolidate Workforce Investment Act funds. Thus, protections for rehabilitation funding could be ignored by states.
- Supported employment funding is eliminated.

Here are some reflections to ponder:

The strength of the public vocational rehabilitation program has been its ability to individualize to meet the people we serve on a case-by-case basis. The proposed changes could shift the focus to one-size-fits-all generic service delivery models. We could lose our ability to respond to the unique rights and expectations of people with disabilities.

While the bills appear to strengthen attentions on transition from high school to post-secondary education and work, the move out of the Department of Education severs direct partnerships between special education and vocational rehabilitation/independent living. Reasons behind the move from the Department of Education are unclear, but they appear to be as simple as believing employment programs should reside in the Department of Labor.

The long term value for competitive integrated employment --- livable wages in a community setting --- flipped to endorse subminimum wages for people with disabilities. Disability rights advocates vigorously oppose this move, and proponents seem to come from anti-disability rights perspectives. To say the least, the push for subminimum wages, especially the push to make subminimum wages a “civil right,” is baffling.

Expectations for professionalism are reduced by dropping minimum requirements for counselors and by watering down professional development practices. Changes like these can only mean that Congress intends to eliminate the expertise required for vocational rehabilitation programs and to replace it with minimum requirements that fit with lower expectations and easier consolidation with generic employment services designed for the masses.

Perhaps the most stunning issue is how little the public is involved in choosing the elements of the Workforce Investment Act. The Senate bill just came out late Friday. The Senate Health, Education, Labor and Pensions Committee plans to complete the bill’s mark-up on July 31, and the Senate will vote on the bill in September after the August recess. Then, since the House already passed its bill with similar lightning speed, the Senate and House will quickly iron out differences between their bills. Lastly, President Obama will decide whether to sign or veto the joint bill. For many, all this seems like too much negative change with too little opportunity to provide input.

I will share additional information as it becomes available.