

Montana State Rehabilitation Council

Disability Determination Services Conference Room

February 8 & 9, 2018

Meeting Minutes

Members present: Tiffany Costa (WebEx), Coreen Faulkner, Lisa Gault, Kathy Hampton, Barbara Kriskovich (WebEx), Frank Podobnik, Donna Marie Robnett, Scott Trent, Nick Domitrovich, and Arlene Templer (Friday)

Staff and visitors present: Sheri Vukasin, Chanda Hermanson-Dudley, Beverly Berg, Celina Cline, Mike Hermanson, Jeanne Stone, Bill Harant, and Shawn Tulloch

Election of Chair and Vice Chair: Tiffany Costa was nominated for Chair by Coreen Faulkner, seconded by Scott Trent. Scott Trent was nominated for Vice Chair by Kathy Hampton, seconded by Coreen Faulkner. Both officers were approved by vote of the Council.

November/December minutes: the minutes of the previous meeting were approved as written.

Announcement: Mike Hermanson announced that the Governor's report has come out, and he passed out copies. Mike said the Council will get the chance for feedback at the next meeting.

Public comment: (none)

Budget Updates; Sheri Vukasin

Sheri provided a handout on the Federal Grant document, and explained the Federal government will disperse funds in quarters. The budget is predicted to be \$11.3 million for this year. In the past, MT could expect to receive over a million dollars in re-allotment per year, but re-allotment money can't be relied on. We will apply for re-allotment, but don't expect it. In years 2015 and 2016 we overspent, but this was partly due to the loss of re-allotment money. The State had to cover the difference, causing the overspend. For Fiscal 2018 we are projected to overspend by \$1.7 million. Actions are being taken to reduce costs like hiring freezes and office consolidations in order bring program costs down. Another piece will be the State appropriation plan, which has the effect of limits put in place in Legislative Regular Session 2017, as well as Special Session Nov. 2017. Nick explained the Governor's office is handling everyone's "asks," and the overall picture will emerge. The OBPP is strongly working on this at this time. Mike pointed out that Rehabilitation services has a reduced budget, without any reduction in services.

Federal and State Updates; Nick Domitrovich

Nick spoke about how Federal funding streams, even when promised, are only received little by little throughout the year, and often the first payment is the smallest. This is problematic when services have already occurred and must be paid for. Congress is predicted to vote on a 2-year budget deal, which would help agencies have a better idea of their funding. The US House will consider changes in H.R. 620, fundamentally altering the ADA by changing the legal remedies that are available when a situation goes

to court. This act is scheduled for a vote soon. Rules revision for Voc. Services at the State level is being considered, and a draft will be developed by June 2018.

DPHHS Director Sheila Hogan complimented Nick for his hard work and personal commitment to Vocational Rehabilitation. Sheila talked about her background, and offered to take questions. She said DPHHS does the best they can with limited resources. She hopes that the budget will change to allow new clients. Existing clients are getting served; but the categories are closed to new clients.

Field Services Updates; Chanda Hermanson-Dudley

Staffing update: Chanda provided a Work Chart which showed all staff positions including vacancies. For budget savings, most vacancies are not being filled. Another form of savings is closure of satellite offices, for example Hamilton, Bozeman and Browning. The Bozeman and Browning offices were both newer offices and clients still have a local physical place to go for services at a partner agency, but closure of the Hamilton Office was more impactful because it was a long-standing space, and those services have been moved to Missoula.

Tiffany asked about the position called “Administrative Support Supervisor” which is present at each office. Chanda answered that some offices are heavier on support staff, while others have less. Therefore, field offices often help each other as needed. Nick pointed out that the reporting has become voluminous, and requires a lot of data and a lot of precision. Our support staff works very hard on this. Scott asked Chanda to comment on staff morale. She responded that remaining staff are the most loyal and competent, but they sometimes feel hopeless. Sheila added she worries about overall morale at DPHHS because this is hard time for these services.

Service Categories: Chanda referred to a handout that enumerated programs and costs which was current for Oct 2017 through Jan 2018. Mike added that he hopes people can move toward earning enough that they can get off of SSDI. This is usually achieved by going to college, therefore the initial cost of sending clients to college can come back as a savings later. Nick talked about larger policy goals, with our federal partner RSA showing support for States to spend VR dollars on college. They see the benefit.

One service category that is being looked at is Job Search assistance, particularly collaborating with MT Department of Labor, and Job Service locations. There are pilot programs taking place in Havre and Billings Job Service locations to take VR clients. Tiffany wondered if we’re missing out on monies where community partners work to generate revenue (for example Ticket to Work), and Chanda said that was discussed with Job Service but isn’t happening in Montana, yet. Sheila said these are good points, and she will bring it up at SWIB.

Caseload Summary: Chanda provided a Caseload Summary handout for the current year. There were 327 individuals, and 22 working. Post-Employment Services is a category which experienced an increase from 17 cases to 132. The big jump was due to clients moved from Extended Employment to Post-Employment spots, in order to satisfy 90-day scope. There can be problems when a client’s case can’t be moved due to category closure. Positive changes in reporting are starting. Previously, we only reported those who were exited with employment, but new data collecting will go out to clients who obtain work even after exiting. Another new provision is to track progress on exited clients at 6 months out, and 12 months out. This way VR can get appropriate credit for clients’ skill gains. Counselor caseloads are being tracked. Western Montana has highest caseloads, due in part to vacancies in Counselor positions, and also due to population. Average caseload ranges from 80 -100 clients per

counselor in an urban area, but can vary in rural areas. Chanda reported there were no Fair Hearings or Appeals.

Guest Speakers:

Carol Wise, Supervisor of DDS, is an employer of clients via Helena Industries who work at the front desk, answering phones and handling mail. When comfortable, they move into new tasks and skills.

“Hiring people with disabilities & the barriers they face.” Ona Lepard and Sandi McDonald presented on Helena Industries, a placement partner. They help clients enter, or reenter the workforce. Barriers they face include transportation, inability to communicate, lack of education, inability to advocate for themselves, clothing and homelessness, need for assistive technology. Helena Industries clients are VR clients first. Job coaches keep in close contact with VR Counselors. The work experiences start out easy, and the job coach is present. These are temporary (up to 3 months) work experiences. Order of Selection means more challenging clients are the ones being placed, so the success depends on the client and the employer. Sometimes Helena Industries supports clients in easing into a permanent job.

National Coalition of State Rehabilitation Councils

Kathy agreed to participate in a teleconference with NCSRC.

Youth Services updates; Tammy Hogan

Required to send 15% funding to Pre-Employment Services. Transition services include counseling, workplace readiness and others. Counselors track their delivery of services, special projects, contracts. Community Rehab program and others with CRP's and other independent providers. Obtained input, feedback, \$40/hr for individual, and \$24/hr for group. Also paying for travel if 30 miles or more. Counselor then brings back a proposal for services. Partnering with UM and MSU-B for programs to offer summer experiences. Also working with the Montana Youth Leadership Forum. School contracts are expensive, so followed closely. New contracts have a lower fee schedules, school districts were notified so they could create their work plan and apply for funding. Also working closely with OPI. Frank spoke for OPI about this partnership. Pre-ETS money should be used to supplement, not replace, existing Special Ed. Then OPI can use their student database system to streamline some of the reporting. Furthermore, OPI already monitors schools under IDEA, but can piggyback Pre-ETS monitoring at that same visit.

Deaf Services updates; Shawn Tulloch

Shawn has a BA in Elementary Ed. and a Master's in Deaf Education. Shawn's position is part of the central office, but she works remotely from home. This job was developed because the Deaf Services world is unique, and visual communication is needed. It might be in the form of an interpreter, but there are other visuals that deaf people use. There are different types of deafness and different types of assistive technology. There must be an individualized plan for each client. Right now, 5 VR Counselors have deaf clients. She is in close communication with them, and also with MSDB. Shawn shares her own story as a deaf person with her clients and their parents, giving them an example of success.

Independent Living updates; Bill Harant

The SILC is struggling with low membership, down to 8 members for 14 slots. Last meeting didn't have a quorum. The Governor's office has some applications in hand, but has yet to appoint. The budget struggles cause tension with some of CILs. SILC put in their statewide plan to examine becoming a 501-3 organization. The SILC was supposed to be autonomous, but questions arise about how much

autonomy. This leads to some confusion and some non-interest. One area of advocacy focuses on clients' helpers are supposed to call-in when they start and when they leave, because the statute limits their hours. Alaska and Ohio have tried fixes. It is hoped that this will be amended or rescinded. On the national level, HR 620 makes adjustments to ADA to prevent "drive-by" lawsuits, by giving the business a lot of time to respond. To follow the advocacy of SILC and CIL, you can Google MTCIL-net.

Informal Session to review the Federal Regulations on SRC:

The Council reviewed their Regulatory document (CFR Part 361). The Council's meetings are public, and supposed to be publicly announced. Members weren't sure if today's meeting announcement, which was publicized on the agency website, was adequate. Barbara will send a link to Shawn for public notice of meetings at the state website. Scott will report back after inquiring how SWIB notices their meetings. The Council then discussed their role: are we advisory after the fact, or should we be proactive about programs and implementation. There are several references in the document about "supervising" or "evaluating" staff and programs. If this body has accountability, then it seems necessary to have a more direct role in statewide VR in real time. Arlene gave input about how this Council used to operate 7 years ago, in her earlier tenure, at that time the Council exercised more direct authority and enjoyed more communication on topics before key actions were taken. (See 371.17 (i)(4)). There was consensus that the Council would like to return to the higher level of function that was in place in years past. They want information about order of selection and VR state processes before important decisions are already made, in fulfillment of the role of this body. The Council wishes to be involved in the selection process for any new staff going forward. Another change would be for the Council to read customer satisfaction surveys from VR clients. (See 361.17 (h)(4)).

Windmill Training; Jeanne Stone

Jeanne presented on hiring someone with a disability. A matrix tool helps prospective employers examine their perceptions by matching disability types as least likely or most likely with sample jobs. Best practices would lead employers to focus on what the individual can do, not what they can't. Many disabled people can do the essential functions of a job, if employers would look past the stereotypes. This presentation is intended for Human Resources staff, or any potential employer.

Quality Assurance Services updates; Barbara Schiedermayer

The QA document has been reformatted to make case review more streamlined. QA reviews approx. 10 cases per counselor per year. Previously this was cumbersome because each case was embodied by a 6page stapled packet. Now, a spreadsheet format allows comparisons more clearly and easily. The new format also covers order of selection, and all the required components and measurements in their newest form. Another benefit is that this can be used as a training tool for new counselors and new reviewers. Now that measurements are gathered, that will be used toward projects and staff training. They hope soon to include customer satisfaction survey, and performance appraisal documents, in order to see trends in the metrics.

Council and staff discussion:

The Council reviewed their regulatory document, and want to make sure moving forward the Council can be informed proactively and be able to evaluate the process of opening up categories. Nick predicts the next time to reassess opening of categories will be in 2019. Even though caseloads have dropped with closure of categories, staff levels are still appropriate because there have been no new hires for years. Overall funding in 2016 – 2017 a bad cycle of each year overspending and cutting into the next year's funds, which then short-changes that year, is occurring. It is hoped the legislature will address

this. The Council asked staff to provide customer surveys so they can fulfil their regulatory obligation. Mike Hermanson is working on the surveys, but has lost his ½-time administrative support position.

Arlene described the way this body used to function in the past, and said this year they felt surprised by overspending and lack of accountability. Nick responded that staff doesn't have the luxury of pre-planning, because State actions, like a moratorium on contracts, and necessity of a Special Session. He wants this to turn around, so he can do more than just react to the State's actions and decisions. He wants to be able to do long range planning with the SRC, when the Statewide budget climate stabilizes. Nick relayed that outgoing staff member Mary Dalton, who worked for 35 years, said she'd never seen the fiscal climate this bad. Chanda shared her previous experience on the SRC, before she was staff, and she is glad the current SRC is reflecting on this. She remembers the budget talks 8 years ago revolved around the American Recovery and Reinvestment Act, so the discussions were about how to responsibly spend money, not how or where to make cuts.

Letter of January 16, 2018

Point 1 –Schools. Nick responded that current year School contracts are in place, and VR plans to spend 15% but no more. Budgets, plans, and student data from OPI will be available now. Oversight is provided in two ways: VR reviews data, and OPI has actual staff that visits and works with schools. The Council requests a copy, or a sample copy, of school contract. Chanda adds that counselors are present at each school, and they report back.

Point 2 – fiscal controls. Nick responded that the fiscal controls are in place, but they're struggling with problems they inherited. What Nick and Chanda have done, however, include terminating rural Pre-ETS, terminating an Assistive Technology contract, and they review all IPE expenditures over \$500.

For example, Nick often discovers comparable benefits when he reviews the IPE's. Budgeting in VR is always a projection, so unusual circumstances can arise. Nick tries to be transparent with the Director's office, and gives them all of his information all the time. The Council wasn't included in a decision that 2 employees were let go. Nick said he wasn't included in that decision either: it was handled by HR, and was covered by privacy laws. Nick predicts that by 2019, it won't be necessary to ask for re-allotment, because the budget will have been planned and implemented correctly.

Wrap up:

Barb suggested a retreat for the second day of May's SRC meeting. The May meeting will be a joint meeting with SILC on May 10th. In the past there was a consensus council, which is now disbanded, to facilitate the retreat. Thoughts on including a department facilitator for the retreat were aired. The Council wants staff to utilize the SRC, and together work to improve the VR System in Montana. The Council wants to make sure the problems with overspending don't keep occurring. Too many changes effects functionality, so to that end, the Council asked Nick how long he will be in his current role. Nick speculated that the Director's office will keep him in this role for now, but that it can't go on indefinitely, because as a lawyer, he has other duties. The Council asks that they be given plenty of advanced notice when or if the Director takes Nick off his VR role.

Tiffany asked the group to develop an agenda for the next meeting, May 10 – 11. The idea of a retreat could be made to fit into a ½ day portion of the meeting. The meeting could be a full 2 days, instead of 1½ day as this time. Tiffany also brought up the need for orientation materials for new Council members, who will be at the May meeting. Scott and Kathy will assist on the new member orientation.