

Minutes – November 3, 2016

SRC Policy and Procedure Committee

| SRC Policy and Procedure Committee | | |
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| Thursday, November 3, 2016 | 9:30 am – 11:30 am | VABVI, 60 Kimball Avenue, South Burlington, VT 05403 |
| Meeting called by | Sam Liss, Chair at 9:40 a.m. | |
| Members Present | Leslie Walker Mitchell | |
| Members Absent | none | |
| SRC Liaison | James Smith, DVR Budget and Policy Manager | |
| SRC Coordinator | Rebekah M. Stephens | |
| Interpreters | n/a | |
| Speakers/Presenters | n/a | |
| Guests | Nancy Breiden, Sherrie Brunelle and Ashley Pulaski | |
| 1. Today's Agenda | | |
| 2 minutes | Sam Liss | |
| Discussion | No discussion. | |
| Conclusions | Agenda accepted by consensus. | |
| Action Items | Person Responsible | Deadline |
| None | n/a | n/a |
| 2. Approval of Minutes – May 5, 2016 & September 1, 2016 (Canceled) Committee Meetings | | |
| 2 minutes | Sam Liss | |
| Discussion | No discussion. Leslie Walker Mitchell moved to approve. Sam Liss 2 nd . | |
| Conclusions | Minutes approved. | |
| Action Items | Person Responsible | Deadline |
| Upload approved minutes to www.VTSRC.org | Rebekah Stephens | 11/11/2016 |
| 3. Chapter 103: “Comparable Services and Benefits” – Formal Discussion for Minutes | | |
| 1 minute | Sam Liss | |
| Discussion | Chapter language was approved by email on August 31, 2016. No discussion. | |
| Conclusions | Chapter language approved. | |
| Action Items | Person Responsible | Deadline |
| None | n/a | n/a |
| 4. Review – Draft Chapters: 202 – “Eligibility”, 203 – “Individualized Plan for Employment (IPE)”, 206 – “Placement”, 204 – “Closure” and 310 – “Supported Employment” | | |
| 1 hour 25 minutes | Committee members | |
| Discussion | The Workforce Innovation & Opportunity Act (WIOA) regulations have been finalized. VR made mandatory language changes to Chapter 202: “Eligibility”, Chapter 203: “IPE”, Chapter 206: “Placement”, Chapter 204: “Closure” and Chapter 310: “Supported Employment”. Committee members discussed how to best review the chapters during today’s committee meeting. James Smith prepared a summary of the changes. James handed out the summary of “What is New?” explaining the changes in each of the areas covered by the above chapters. Eligibility – “Clarifies that an individual is eligible for VR services if their goal is to “advance in” employment not just obtain and maintain employment”. It also “removes the option of extended evaluation when determining a person cannot benefit from rehabilitation services. DVR must use Trial Work Experiences prior to determining a person cannot benefit from rehabilitation services.” Plan Development – “IPE must be developed within 90 days of certification of eligibility unless DVR and the <u>consumer agree to a specific date by which the plan must be completed</u> . DVR must inform the consumer of the option of requesting assistance from a disability advocacy organization when developing an IPE. DVR must provide SSI/SSDI beneficiaries general information on additional supports available including benefits planning. Under Pre-Employment Transition Services allows for a | |

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| <p>projected or generally described employment goal for students particularly at a younger age. DVR can provide supported employment for up to 24 months (prior maximum was 18). If customized employment is the goal it must be documented that: Based on needs of individual and employer, Carried out through flexible strategies including customized job description, development of job duties and requirements at job site, and Using professional or self-representation with an employer.” Employment Outcome (Rehabilitation) – “WIOA adds new term “competitive integrated employment”. Intent is to clarify employment is in “a setting typically found in the community”. Clearly excludes jobs established with community rehab programs specifically for consumers with disabilities do not meet definition of competitive integrated employment. Clarifies that self-employed individuals can be considered to be receiving competitive compensation if their income is comparable to individuals without disabilities in similar occupations.” The intent of this clarification is to further protect individuals with disabilities from sheltered workshops. “WIOA no longer allows homemaker or unpaid family worker as a rehabilitation outcome.” Sherrie Brunelle shared that she has not been able to fully review each of the draft chapters and is wondering what the time line is for getting these chapters finalized. James explained that he would like to get the DVR staff trained on these new policies and procedures. Training is scheduled for November 29, 2016. James feels he can train staff on the WIOA regulations without having the above draft chapters finalized. Sam Liss recommended that James walk the Committee members through the draft chapters today and approve what can be approved. Sherrie shared that she would like additional time to look at the draft chapters. James shared that Sherrie’s input will be very helpful. James explained that the draft changes in the above chapters are basically word for word from the regulations. However, where the regulations were a bit more complex, the wording was condensed. Sherrie stated that most of her questions are around Chapter 310: “Supported Employment”. Sherrie feels that she can get through all the draft chapters in the next couple of weeks. Committee members discussed giving Sherrie some additional time to review the draft chapters, having all Committee members submit any comments via email, and a doing a finalization of draft chapters at January P&P meeting. Members agree with this plan. James shared that the most important chapter to review today is Chapter 203: “Individualized Plan for Employment”. James walked the Committee members through the changes. A copy of the draft Chapter 203: “IPE” is attached to minutes. Sherrie suggested on Page 2 that the definition of IPE be moved to “A” on the list of “Definitions”. Committee agrees. Sherrie asked if CAP (Client Assistance Program) is considered a “disability advocacy organization”? James doesn’t know the answer to that question. Sherrie will ask National Disability Rights Network (NDRN) for their input. James suggested adding some guidance to Page3. Section II. Development and 90-Day Deadline for Completion; 1. D. listing out various “disability advocacy groups” e.g. CAP, Green Mountain Self-Advocates (GMSA) and Vermont Center for Independent Living (VCIL). Page 6. Guidance change is not related to WIOA but is a clarification of the end date as a hard stop of services for consumers. In the current paper system for cases the end date could be more fluid. However, with AWARE the end date will be a hard stop and counselors will need to do a full amendment, in order to, change the “goal achievement date”. Page 9. Guidance intent is to clarify when a full amendment to an IPE is required or not required and provides examples for counselors. Sherrie identified a spelling error on Page 9. Guidance “intial” should be “initial” (3rd sentence from bottom).</p> | |
| Conclusions | <p>Sherrie Brunelle will contact NDRN and inform the committee of the results. James Smith will make the recommended adjustments to the draft Chapter 203: “IPE”. Committee members will make recommendations on Chapter 202: “Eligibility”, Chapter 206: “Placement”, Chapter 204: “Closure” and Chapter 310: “Supported Employment” via email by December 1, 2016. James will make any recommended changes to these chapters prior to the January 5, 2017 P&P Committee meeting. January 5, 2017 P&P Committee meeting agenda will include an hour discussion and final vote of approval</p> |

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| on these chapters. | | |
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| Action Items | Person Responsible | Deadline |
| Contact NDRN and get input on whether CAP is considered a “disability advocacy group” and email results to Committee members | Sherrie Brunelle | 12/1/2016 |
| Review draft Chapter 202: “Eligibility”, Chapter 206: “Placement”, Chapter 204: “Closure” and Chapter 310: “Supported Employment” and make suggestions via email | Committee members | 12/1/2016 |
| Chapter 203: “IPE” Page 2. Section I. Definitions; F. ““Individual Plan for Employment” (IPE) means the written...” will be moved to the top of the definitions and become “A”. | James Smith | 12/23/2016 |
| Chapter 203: “IPE” Add guidance language to Page 3. Section II. Development and 90-Day Deadline for Completion; 1. D. listing out examples of “disability advocacy organization” e.g. CAP, GMSA & VCIL | James Smith | 12/23/2016 |
| Chapter 203: “IPE” Correct spelling error Page 9. Section VII. Review and Amendment; B. Guidance third sentence from bottom “intial” should read “initial” | James Smith | 12/23/2016 |
| Make any recommended changes to draft Chapter 202: “Eligibility”, Chapter 206: “Placement”, Chapter 204: “Closure” and Chapter 310: “Supported Employment” | James Smith | 12/23/2016 |
| Include “Discussion and Final Vote of Approval - Chapter 202: “Eligibility”, Chapter 203: “IPE”, Chapter 206: “Placement”, Chapter 204: “Closure” and Chapter 310: “Supported Employment On January 5, 2017 P&P Committee meeting agenda (1 hour) | Rebekah Stephens | 12/23/2016 |
| 5. Review and Finalize Proposed Language Changes – Chapter 105: “Appeals Process” | | |
| 25 minutes | Committee members and Nancy Breiden | |
| Discussion | Sherrie Brunelle has some concerns regarding the time lines and deadlines for | |
| Page 5. Section III. Administrative Review. James Smith suggested Karen Blake-Orne be brought into this conversation. Sherrie also has some concerns regarding the lack of clarity around if these procedures relate only to administrative reviews or do they apply to any dispute? James Smith shared that Diane Dalmasse had a question on Page 3. Section I. General Policy C.; why was it deleted? Nancy Breiden responded it was redundant; D. has all the same information. Nancy asked, what does D. #8 mean? “When a person with an IPE is no longer available for services”. Members shared that it could mean a person is deceased, moved out of state, hospitalized or incarcerated. If the Committee is asking what it means, it may need more clarification. James shared that he feels this is covered under D. #5, “Whenever VR services are reduced, suspended or terminated”. The Committee feels D. #8 should be clarified or deleted entirely. | | |
| Page 6. Section III. Administrative Review – Role of Administrative Officer; I. 4. use of terms of they and their were discussed. They and their were used to replace s/he and his/her references. Nancy shared that this is a stylistic preference. | | |
| Conclusions | Sherrie Brunelle will reach out to Karen Blake-Orne to discuss her concerns around | |
| Section III. Administrative Review. Committee members agree to delete Page 3. Section I. D. #8 “When a person with an IPE is no longer available for services”. Nancy will do a little research to find out which terms (s/he, his/her, they/their) are more appropriate to use. Include “Review and Finalize Proposed Language Changes – Chapter 105: “Appeals Process” on January 5, 2017 P&P Committee meeting agenda. | | |
| Action Items | Person Responsible | Deadline |
| Reach out to Karen Blake-Orne around Section III. Administrative Review concerns | Sherrie Brunelle | 12/15/2016 |

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| Delete in its entirety Page 3. Section I. General Policy D. 8, “When a person is no longer available for services” | James Smith | 12/23/2016 |
| Determine appropriate terms to use he/she, his/her, they/their | Nancy Breiden | 12/23/2016 |
| Include “Review and Finalize Proposed Language Changes - Chapter 105: “Appeals Process” on January 5, 2017 P&P Committee meeting agenda | Rebekah Stephens | 12/23/2016 |
| 6. Other Business | | |
| 5 minutes | Sam Liss | |
| Discussion | None. | |
| Conclusions | None. | |
| Action Items | Person Responsible | Deadline |
| None | n/a | n/a |
| 7. Adjournment | | |
| 0 minutes | Sam Liss | |
| Discussion | Leslie Walker Mitchell moved to adjourn. Sam Liss 2 nd . | |
| Conclusions | Meeting adjourned at 11:35 a.m. | |
| Action Items | Person Responsible | Deadline |
| Submit draft minutes for approval by Committee | Rebekah Stephens | 12/2/2016 |
| Draft minutes uploaded to www.VTSRC.org | Rebekah Stephens | 12/2/2016 |
| Draft minutes emailed to Committee Members | Rebekah Stephens | 12/2/2016 |
| Minutes approved by Committee | Committee Members | 1/5/2017 |
| Approved minutes uploaded to www.VTSRC.org | Rebekah Stephens | 1/13/2017 |