

Minutes – May 4, 2017

SRC Policy and Procedure Committee

SRC Policy and Procedure Committee		
Thursday, May 4, 2017	9:30 am – 11:30 am	VABVI, 60 Kimball Avenue, South Burlington, VT 05403
Meeting called by	Sam Liss, Chair at 9:35 am	
Members Present	Leslie Walker Mitchell	
Members Absent	Sherrie Brunelle	
SRC Liaison	James Smith, DVR Budget and Policy Manager	
SRC Coordinator	Rebekah M. Stephens	
Interpreters	n/a	
Speakers/Presenters	n/a	
Guests	Robin Ingenthron	
1. Today's Agenda		
2 minutes	Sam Liss	
Discussion	None.	
Conclusions	Today's agenda accepted.	
Action Items	Person Responsible	Deadline
None	n/a	n/a
2. Approval of Minutes – January 5, 2017 and March 2, 2017 (cancelled) Committee Meetings		
3 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	5/12/2017
3. Review & Finalize Proposed Language Changes – Chapter 105: Appeals Process, Mediation section		
25 minutes	Committee members	
Discussion	Committee members reviewed the changes made on January 27, 2017 by Sherrie Brunelle. The goal of the revision was to get rid of extraneous language and adjust the timelines. James Smith shared that Karen Blake-Orne worked on this with Sherrie and Karen is good with the revisions. No further discussion. Leslie Walker Mitchell moved to approve Chapter 105 in its entirety. Sam Liss 2 nd .	
Conclusions	Committee members approve these revisions. Chapter 105 approved in its entirety. Final revised Chapter 105: Appeals Process dated 1/27/2017 attached to these minutes. All revisions are reflected in this revision.	
Action Items	Person Responsible	Deadline
Incorporate all approved revisions in Chapter 105: Appeals Process (1/27/2017)	James Smith	TBD
4. Update on Status – Draft Chapters		
15 minutes	James Smith	
Discussion	James Smith distributed updated draft copies of Chapter 202: Eligibility, Chapter 203: IPE, Chapter 204: Closure, Chapter 206: Placement and Chapter 310: Supported Employment. Since the January 5, 2017 P&P Committee meeting, VR has made a few changes to the draft chapters approved by the Committee. Committee members reviewed the additional changes and made a few additional suggestions. The Committee members feel the title of Chapter 202: Eligibility, Section II. Prohibited Factors is confusing. They suggest changing the title to “Applicable/Prohibited Factors” and changing the first sentence to read “When determining eligibility for vocational rehabilitation services the following factors either apply or are prohibited.” Page 6. Chapter 202: Section III. A., James is going to check the regulations and add a #4 to the section in response to the comment “[SB12] Should there be a statement indicating that there is no	

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<p>entitlement to VR services. See, 361.42(a)(5).” Page 7. Chapter 202: Section III. B. VR added a sentence to this section. The sentence is now the 4th in the section. The sentence reads, “The Division must develop a written plan to assess periodically the individual’s abilities, capabilities and capacity to perform in competitive integrated work situations through the use of trial work experiences.” The Committee agrees with the added language. Page 9. Chapter 202 comment [SB15] referring to “H” is unclear as this section has been deleted. Committee agrees to ignore comment. Chapter 203: Individualized Plan for Employment, Section I. Definitions. VR will be alphabetizing the terms. Committee agrees. Chapter 203: Section I. page 2 comment [HS4R3] “Don’t understand.”, VR is ignoring. Committee reviewed and agrees to ignore comment [HS4R3]. Page 3. Chapter 203: Section II. A. 3. b) Committee suggests adding “and”. It will now read “information about the availability in completing State IPE <u>and</u> related forms.” James believes this language conforms to the regulations. Committee reviewed Page 6 comment [SB9] referring to Chapter 203: Section III. B. The Committee feels that the reference to Chapter 307 is sufficient. Nothing additional needed. Page 8, Chapter 203: Section III. H. 2. VR added “(See Chapter 310 Supported Employment). Committee agrees with addition. Chapter 204: Closure, Section V. Committee discussed why entire sample letter was removed. James explained, AWARE will have all standard letters so there is no need to include them in the Manual. Committee is good with this. Chapter 206: Placement, Section IV. A. VR has removed the term “reasonable”. language will now read “A placement may be considered to be a suitable competitive integrated employment outcome when it has been confirmed that the following conditions have been met:”. Committee agrees with this change. Chapter 310: Supported Employment, Section I. A. VR inserted the definition of “Individual with a most significant disability...” Committee agrees with this. Page 3, Chapter 310: Section I. E. definition for “Youth with a disability” added to make consistent with language in the overall chapter. Committee agrees with this added definition. Page 3, Chapter 310: Section II. C. 1-8, VR has undeleted these. Committee discussed why they were deleted in the first place and the conclusion is that it was an error. Page 4, Chapter 310: Section II. D. Committee discussed why this section was deleted in its entirety. James is not 100% sure, but he thinks the intent was to make the section consistent with the regulations. The deleted language was “fluffy”. Page 4, Chapter 310: Section II. C. 1-3 addresses making the “fluffy” language more consistent with the regulations. Committee agrees with deleting D. and using C. It was noted that C. will now need to become D. Page 4, Chapter 310: Section II. C (being changed to D.) 3. Committee discussed if “For example, a consumer is a student...likely source of extended services.” should be included here or under “Guidance”? Committee agrees it should be moved to “Guidance”. Leslie Walker Mitchell moved to approve all discussed chapters with today’s added revisions. Sam Liss 2nd.</p>		
<p>Conclusions Committee has approved Chapter 202: Eligibility, Chapter 203: Individualized Plan for Employment, Chapter 204: Closure, Chapter 206: Placement and Chapter 310: Supported Employment with VR’s revisions and today’s added revisions. Action Items below reflect only those changes made today. Changes made by VR prior to today’s meeting but subsequent to January 5, 2017 are reflected in the draft chapters distributed by James Smith today.</p>		
<p>Action Items</p>		
<p>New language for Section II title – “Chapter 202: Eligibility, Section II. Applicable/Prohibited Factors”</p>	<p>James Smith</p>	<p>TBD</p>
<p>Chapter 202: Eligibility, Section II. page 3, 1st sentence to read “When determining eligibility for vocational rehabilitation services the following factors either apply or are prohibited.”</p>	<p>James Smith</p>	<p>TBD</p>
<p>Add additional language – Chapter 202: Eligibility, Section III. A. page 6, add #4 in response to comment “[SB12] Should there be a statement indicating that there is no entitlement to VR services. See, 361.42(a)(5).” Use wording from regulations.</p>	<p>James Smith</p>	<p>TBD</p>

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Chapter 203: Individualized Plan for Employment, Section II. A. 3. b) page 3, will now read “information about the availability of assistance in completing State IPE <u>and</u> related forms”	James Smith	TBD
Chapter 310: Supported Employment, Section II. C needs to be changed to <u>D</u> .	James Smith	TBD
Chapter 310: Supported Employment, Section II. C (being changed to D.) 3. entire language section “For example, a consumer is a student in high school, who has developmental disability, is not guaranteed to be eligible for Home and Community Based Waiver Services through the Division of Developmental Services (DDS). However, if the counselor determines the consumer is likely to meet the DDS, System of Care Priority then it is reasonable to identify the Waiver Services as a likely source of extended services.” to be moved to “Guidance”.	James Smith	TBD
5. Discussion – SRC Bylaws		
30 minutes	Committee members	
Discussion	P&P Committee members discussed suggestion of a language change in SRC Bylaws	
Article VII, Section 1. 2 nd sentence “The Chair or Vice-Chair shall be a person with a disability.” During the January 13, 2017 Steering Committee meeting it was discussed that this definition of who can be the SRC or SRC Vice-Chair should include parents or the immediate family member of a person with a disability. The P&P Committee members agree. The P&P Committee also discussed adding some language around advocacy to Article IX, Section 3. SRC Bylaws. Sam Liss shared that Diane Dalmasse has some concerns around the dissolution of the AOE Committee and will be bringing up the discussion at the Steering Committee meeting later today. Sam recommends postponing this discussion until a later date. Committee members agree to postpone this discussion until after the Steering Committee has had a chance to review. Committee members voted to approve today’s Article VII, Section 1. 2 nd sentence suggested language change and present it to the full SRC for final vote of approval. Leslie Mitchell Walker moved to approve. Sam Liss 2 nd .		
Conclusions	Committee members agree to take Article VII, Section 1. 2 nd sentence of the SRC Bylaws suggested language change to the full SRC for vote of approval. The suggested language is “The Chair or Vice-Chair shall be a person with a disability or a parent or another immediate family member of a person with a disability.”	
Action Items	Person Responsible	Deadline
Include “Vote of Approval – Article VII, Section I. SRC Bylaws 2 nd Sentence Suggested Language Change” on December 7, 2017 SRC agenda	Rebekah Stephens	11/24/2017
Postpone review of additional advocacy language for SRC Bylaws Article IX, Section 3. Include on a later P&P meeting agenda	Rebekah Stephens	TBD
6. Discussion – Possible New Chapters		
35 minutes	Committee members	
Discussion	There are currently 3 proposed possible new chapters: Pre-Employment Transition Services, Cost Sharing and Denial of Benefits and Progressive Employment. James Smith shared that he is not sure that Progress Employment needs a separate chapter. Leslie Walker Mitchell shared that she hasn’t seen VR counselors use Progressive Employment. James agreed that it is not really for general VR counselors. But more for the work of Employment Specialists. James believes it may be more of a training topic for Employment Specialists and Youth Employment Specialists. James explained that Progressive Employment is more of a strategy like motivational interviewing. The Committee members agree that Progressive Employment does not warrant its own chapter. A chapter on Cost Sharing and Denial of Benefits was recommended by CAP. CAP (Client Assistance Program) is concerned that the decisions to deny benefits are not guided by policy.	

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<p>They also believe that a formal notice of “Denial of Benefits” should be issued by VR in all instances. James shared that he is concerned if VR starts writing a ton of denial letters it would not appropriately represent the correct tone of the VR program. James explained that some denials of benefits are more conversational than formal. For example, if someone wants VR to buy them a car and during the conversation the VR counselor suggests that public transportation would be a better fit. This is not a hard denial of benefits but an exploration around alternatives. In most circumstances, it is a VR counselor’s judgement call. Committee agreed that VR is not an entitlement program and conversations like this are reasonable. James explained that the federal regulations are quite clear that a formal letter needs to be written when benefits are denied and CAP is correct in saying that VR is out of compliance around this. James feels that VR will address this if there is a dispute. Leslie shared that she is afraid if a lot of denial letters start going out it will take away from the conversational tone of the process. VR does not want to set an adversarial tone in the VR process. James believes a chapter on Cost Sharing and Denial of Benefits is needed, however, the implementation by VR needs to be clear to maintain the overall desired tone of VR. The chapter on Pre-Employment Transition Services is in the works. The Pre-ETS chapter is necessary to conform to the Workforce Innovation & Opportunity Act (WIOA). Committee members agree that the CAP representative should work with VR to develop the draft chapter on Cost Sharing and Denial of Benefits. Leslie Walker Mitchell moved to accept the development of the 2 new draft chapters and the lack of need for a separate chapter on Progressive Employment. Sam Liss 2nd.</p>		
Conclusions	VR will develop draft chapters on Pre-Employment Transition Services and Cost Sharing and Denial of Benefits. CAP representative to work with VR on development of Cost Sharing and Denial of Benefits draft chapter. Chapter on Progress Employment will not be added to VR P&P Manual. P&P Committee will review draft chapters on Pre-ETS and Cost Sharing and Denial of Benefits when completed.	
Action Items	Person Responsible	Deadline
Develop draft chapter – “Cost Sharing and Denial of Benefits”	James Smith & Sherrie Brunelle	TBD
Develop draft chapter – “Pre-Employment Transition Services”	James Smith	TBD
Include review of “Draft Chapter - “Cost Sharing and Denial of Benefits” on future P&P Committee agenda	Rebekah Stephens	TBD
Include review of “Draft Chapter - “Pre-Employment Transition Services” on future P&P Committee agenda	Rebekah Stephens	TBD
7. Other Business		
10 minutes	Sam Liss	
Discussion	None.	
Conclusions	None.	
Action Items	Person Responsible	Deadline
None	n/a	n/a
8. Adjournment		
-----	Sam Liss	
Discussion	Leslie Walker Mitchell moved to adjourn. Sam Liss 2 nd .	
Conclusions	Adjourned at 11:24 am.	
Action Items	Person Responsible	Deadline
Submit draft minutes for approval by Committee	Rebekah Stephens	6/2/2017
Draft minutes uploaded to www.VTSRC.org	Rebekah Stephens	6/2/2017
Draft minutes emailed to Committee Members	Rebekah Stephens	6/2/2017
Minutes approved by Committee	Committee Members	9/7/2017
Approved minutes uploaded to www.VTSRC.org	Rebekah Stephens	9/15/2017