

Commissioners Retreat Minutes
August 6-7, 2014

Commissioners

Jacqui Romer-Sensky, Chair
Jack Licate, Vice-Chair
Jermaine Brown
David Daugherty

Michelle Dillingham
S. Blake Haxton
Cynthia Rees

Staff: Susan Pugh, Deputy Director, Bureau of Vocational Rehabilitation, Jon Hackathorn, Business Relations Manager, Zandia Galvin, Rehabilitation Program Specialist

Teleconference: Mark Seifarth, former Commissioner and Chair of the DD Council

Approval of Agenda

Commissioner Rees moved to approve the agenda, seconded by Commissioner Brown. Motion carried.

Approval of Minutes

Commissioner Licate moved to approve the June 18, 2014 minutes, seconded by Commissioner Daugherty. Motion carried.

Ben Bonanno Disability Advocate Award

The Ben Bonanno Disability Advocate Award recognizes non-OOD individual(s) who made a significant impact on improving the employment possibilities of Ohioans with disabilities in a way that is consistent with OOD's mission. Commissioners received two nominations.

Commissioner Daugherty moved to accept Chris Moranda, President of the Ohio Business Leadership Network, and Manager, Disability Services at OhioHealth, as the Ben Bonanno Disability Advocate awardee, seconded by Commissioner Licate. Motion carried.

Denise Joanne Weisenborn Service Award

The Denise Joanne Weisenborn Service Award recognizes non-OOD individual(s) that provide outstanding service(s) to Ohioans with disabilities to make their participation in society more meaningful. Commissioners received six nominations.

Commissioner Brown moved to accept Pamela McCuiston, Job Coach serving the Dayton area, as the Denise Joanne Weisenborn Service awardee, seconded by Commissioner Daugherty. Motion carried.

Commissioners acknowledged the people who took the time to nominate individuals for these two prestigious awards.

Ms. Moranda and Ms. McCuiston will be invited to the October 15 Commissioners Meeting where they will be recognized by the Commissioners.

Retreat

Commissioners Jacqui Romer-Sensky, Jermaine Brown and Cynthia Rees planned the 2014 Retreat. Last year's Retreat focused on the Division of Disability Determination (DDD) team. This year's Retreat is focused on the VR program.

History of Vocational Rehabilitation & Workforce Innovation and Opportunity Act

Rehabilitation Program Specialist Zandia Galvin presented on the history of the public Vocational Rehabilitation (VR) program. She presented information on the Soldiers Rehabilitation Act of 1918, the Randolph Shepherd Program of 1936, the Rehabilitation Acts of 1943, 1954, 1973, 1988, and 1992.

BVR Deputy Director Susan Pugh presented on the Workforce Innovation and Opportunities Act (WIOA), which was signed by the President in July, 2014. There are significant changes to the State Plan and VR's performance measures. The provisions of the Rehabilitation Act are immediately effective upon the signature of the President. Most of the other provisions go into effect July, 2015. The VR program is under the new rules. The Rehabilitation Services Administration (RSA) sent a letter stating it will provide guidance soon, but does not have any implementation guidance yet. Rule making processes are due January 18, 2015. In January, OOD should have a better sense from RSA about how they will be defining the congressional intent for WIOA. Final rules will be published January 22, 2016. There will be an 18 month window where OOD will be operating based on implementation guidance from RSA. The new Act will integrate VR more into other programs that are under WIOA. There will be a required unified state plan that is developed by Ohio through the Workforce Investment Board and submitted by the Governor to the Department of Labor by March 3, 2016. This will be driven by a strategic planning process. The Act was authorized for six years.

Under WIOA there will be changes to the Order of Selection. OOD can prioritize individuals who are in imminent danger of losing their job. OOD can modify the Order of Selection requirements or definition to include this as a priority. There is more emphasis on the coordination with employers. States will need to report their strategies, specifically for how it is engaging with the business community to ensure good employment outcomes. Also a formal inter-agency agreement is required with the Departments of Medicaid, Developmental Disabilities and Mental Health. This is related to joint funding strategies about long term supports that are needed for individuals with disabilities. There are coordination requirements with Ticket to Work programs and with Assistive Technology programs that are funded by the federal government. The State Plan will be a unified plan for four years. There is a section in the State Plan about what Ohio's strategies are for transition youth. There is a 15 percent set aside for services to transition youth. OOD will be required to spend 50 percent of its Supported Employment grant on transition youth.

The performance accountability system is moving forward. It includes the number of closures, success rate, wage and hour, etc. The performance accountability system is designed to help increase wages and to assist people with disabilities get training that is needed for the 21st century workforce. In the Standards and Indicators, there are levels of performance that are expected at the national level, and are set the same for every VR program in the country. This new process is going to lead to the negotiation of levels of performance for states on an individualized basis and it will be part of the State Plan development process. The Secretary of Labor and the Secretary of Education will be developing templates for the performance reports.

Effective immediately, the Independent Living Program will be aligned with the Department of Health and Human Services. However, RSA will retain the Independent Living Older Blind Program. OOD is waiting on transition guidance. OOD is the designated state agency for the funding. There will be a designated state entity to receive the funds and sign off on the State Plan for Independent Living. The definition for that entity is contained in the Code of Federal Regulations, not the Act. Until the regulations are developed or until OOD receives guidance from RSA, there are questions about who is the designated state agency. Currently it is OOD.

Currently VR income is being spent on programs (PCA and CCD) under the anthropologist. The ability to do this is in the Code not the Act.

Public Comment

None.

Consumer Panel

Southeast VR Area Manager Bob Nicholson facilitated the consumer panel. Consumers Matthew, Kevin and Kara Huggins and Lori Huggins (parent) presented information on their experiences with the VR program.

Future Trends

VR Deputy Director Susan Pugh presented on VR future trends via a PowerPoint presentation. Future trends include access to services, who VR is serving, employment outcomes, efficiencies and costs per case.

Access to Services: There is a gap between the number of applicants and eligibilities. The number of applicants is going down and the number of eligibilities is going up. Changes to this include the front door process where staff are talking to consumers about services and screening. Also DODD is working on a Disability Benefits 101 calculator. This is web based. Benefits are very complex; the calculator is not designed to replace talking to someone who is knowledgeable about benefits.

A new project where staff communicates with people about expectations for participation in the program will impact eligibility and applicant numbers. Currently the project is being piloted in four offices.

Future partnerships (e.g., Employment First Initiative) with other state agencies are bringing in more applications. VR expects an increase in the volume of eligibility decisions. There is a letter from Disability Rights Ohio regarding a concern about the segregation of individuals with intellectual disabilities and developmental disabilities both in residential settings and in employment settings. The Employment First Initiative is designed to transition people out of sheltered workshops and into community employment.

Elimination of the Waiting List: There have been increases in VR applications. This is expected to continue in terms of people with significant disabilities who are seen immediately. There will be more of a focus on services to transition youth and subminimum wage. Students who meet VR requirements will impact the system.

Individuals who no longer receive Social Security benefits may end up seeking VR services to get and keep a job. DDD cannot refer a person for VR services due to the Ticket to Work program and employer networks. DDD cannot do preferential referrals to OOD.

Performance and Innovation Deputy Director Raivo Murnieks reported his focus is on the data. His team will be looking at funding received, case service expenditures on the various types of closures, change in annual earnings, application earnings versus where a person's is with employment when their case is closed; and discount rates of the economy. The data will be looked at from the individual person that is being serviced to see what their wages are at the time they closed versus were it was. Education is a factor. Part-time work and full-time work also needs to be analyzed.

Range of VR Employment Outcomes

VR Deputy Director Susan Pugh, RPS Zandia Galvin, and Kristen Helling, Ohio Department of Developmental Disabilities (DODD) presented on the employment outcomes and how they are defined.

Employment outcome is how VR defines an individual being employed: full-time or part-time and competitive employment in an integrated market. WIOA combined the two definitions for competitive employment and integrated settings. VR looks at employment as being competitive and integrated settings. The IPE includes the definition of customized employment and business ownership or individuals who are self-employed.

Supported Employment (SE) means something different in the VR community and the DD community and the MH community. For VR, the definition of SE means the person is going to need extended service. The person is going to need some supports even after their case is closed.

The definition of competitive integrated employment means that wages are equal or customary for that particular occupation.

Customized employment is a service delivery model. It uses the individual at the center of the planning process and sets a more specific set of standards for the outcome of the service provision.

Kristen Helling reported the majority of individuals who are in the DD system are in sheltered workshops. DD's goal is to improve employment outcomes and transition individuals from sheltered work into a community employment. Competitive employment means that the individual is making minimum wage, but not less than the customary wage and level of benefits that typical workers would be earning. Integrated setting means that the worker is working alongside workers without disabilities performing the same or similar work tasks.

Recess

At 5:30 p.m. Commissioners recessed until tomorrow morning.

August 7, 2014

VR State Plan

RSA requested a few changes to the VR State Plan:

- Obtain a written assurance that OOD approval will be obtained for the proposed services before it is implemented, which is being done because OOD's contracts outline this.
- Coordination with the Department of Education.
- Change the word cooperative agreement to inter-agency agreement.
- VR State Plan goals lacked measurement criteria. Information from the Strategic Plan was placed in the VR State Plan.

Debriefing from Day 1

Commissioners commented on the changes VR is undergoing as well as changes the CRPs will face. Some of the challenges for VR are evolving the system to focus more on the preparation and alignment with business. VR needs to look for better models that might be more effective. Commissioners enjoyed the consumer panel.

Community Rehabilitation Program Panel

Northwest VR Area Manager Curt Morman facilitated the CRP panel. Representatives came from Capabilities, Green Leaf Job Training, Functional Training Service, United Disability Services, and Goodwill Cincinnati. Panel members discussed their outcomes, data, technology, referrals and outcomes. It has been challenging for the CRPs with the turnover in VR counselors. They requested to be part of the VR team and to participate in meetings with VR staff. A challenge moving forward is communication. We may or may not get information through a counselor. Then CRPs fall into not feeling like a partner.

Expanding Services for Youth with Disabilities

Northeast VR Area Manager Traci Conkling reported transition youth is defined from age 14 to age 25. OOD served 39 percent transition youth. The two largest disability types are youth with cognitive impairment or psychosocial impairment. The remaining types are very small percentages. A new procedure was created. There are dedicated transition counselors across the state. Some schools have coordinators, special education or a work study coordinator; other schools do not.

Executive Director Comments

Executive Director Kevin Miller highlighted the agency's success from eliminating the Waiting List to implementing a Fee Schedule, to increased funding. He thanked the Commissioners and staff for their support and hard work.

Commissioners' Role in the State Budget

Executive Director Kevin Miller stated Commissioners may want to write a letter later in the year regarding OOD's budget. Currently, there is not too much going on with the budget.

Ethics, Financial Disclosure, Payroll, Travel Training

All Commissioners filed their Financial Disclosure forms. No late fees this year. Any questions regarding the Financial Disclosure filing should be made to the Ethics Commission. Commissioners were reminded that they cannot engage in outside business with people who might be represented or seeking to do business with OOD. Commissioners are required to attend Ethics training being offered by the Ethics Commission. There is a link on the Ethics Commission's and the Governor's Office web pages. There is also training for the Financial Disclosure files. Trainings are offered regionally.

Chief Legal Counsel Christina Wendell stated since this is an election this year, any person who is employed by the State of Ohio cannot contribute to the Governor's campaign. State employees are legally prohibited from doing so. The policy will be sent to Commissioners. The policy states the do's and don't's regarding political activity. Commissioners are considered to be unclassified – appointed positions. This does not apply at the county level in terms of making a contribution. The policy is specific to state employees. State employees cannot give money to the Governor's campaign.

Human Resource Payroll Manager Jan Roederer distributed payroll calendars so Commissioners are aware of the payroll dates. She explained the payroll cycle. OOD has a two week bi-weekly payroll. Payroll is processed on the Monday after pay day. Shirley Marchi will enter the hours the Commissioners submit to her, in the system. Two weeks later the hours show up on Commissioners' pay check, which is direct deposited. When payroll hours are submitted six weeks late, then Jan has to beg DAS to open up Commissioners pay screens because she can no longer see them. DAS is very busy in Central Payroll. It is best to get payroll hours submitted timely. Shirley Marchi is to provide Commissioners time sheets in Commissioners packets for them to complete when attending Commissioners meetings.

Commissioners can go online to get their pay stubs. To access the information, Commissioners can visit the myohio.gov website.

Public Comment

None

Adjourn

Commissioner Daugherty moved to adjourn the meeting, seconded by Commissioner Brown. Motion carried. Commissioners were invited to attend the Youth Leadership Forum Talent Show at the Embassy Suites Hotel in Columbus.