

Meeting Minutes

Rehabilitation Council of Texas
January 27-28, 2014
Wyndham Garden Hotel
Austin, Texas

Present

- Lori Henning, Chair, Austin
- Brent Pitt, Austin
- Elizabeth Gentry, Schertz
- Joyce Taylor, Houston
- Karen Stanfill, Houston
- Manuel Lopez, Rosenberg
- Mark Schroeder, Grand Prairie
- Martha Garber, Coppell
- Rana Anderson, Snyder
- Thelma Scott, Houston

Absent

- Rames Gonzalez, Palmview
- Roger Cortez, Cedar Park
- Saul Herrera, Midland

DARS Reps

- Don Roy, DARS Council
- David Norman, DRS Liaison
- Elizabeth Freaney, DARS RCT Council Staff
- Jean Genevie, DBS Liaison

DARS Staff

- Alma Cantu
- Brandy Holt
- Christy Lerche
- David Johnston
- Keisha Rowe
- Michelle McCall

Guests

- Donna Holmes (TEA)
- Raul Ortiz (TWIC)
- Carrie Holley-Hurt (Sunset)

Welcome and Introductions

- Meeting was called to order at 9:00 a.m. by Lori Henning, Chair.
- Council and audience members gave brief introduction.
- Discussed meeting plans for upcoming inclement weather.

Committee Meetings

The following committees met with their members: Policy, Procedures and Personnel Development, Membership and Education, and Consumer Satisfaction and Needs Assessment.

Sunset and Legislative Update

Keisha Rowe, DARS Governmental Relations Specialist, gave a brief presentation on the Sunset review process and a legislative update. Highlights include:

- Sunset Advisory Commission is reviewing DARS, Department of State Health Services, Department of Family and Protective Services and Health and Human Services Commission
- Report should be available May 2014; there will be subsequent reviews for some of the enterprise functions
- After report is released, public hearing will be scheduled
- Sunset visited DARS field offices as well as providers such as Autism Center and an ECI provider
- All federal councils received a letter to participate in the Sunset review process; that information is on the DARS website along with the email address and name of the DARS project manager, Karen Latta
- House Bill 489, Service Animals Initiative – rights and responsibilities of people who use service animals. Post-traumatic stress disorder has been included for use of service animals. DARS created an information brochure on FAQs and it is on the DARS website. DARS is working with Secretary of State, the Comptroller and other state agencies on possible training and outreach.
- Senate Bill 512 – specialized telecommunications assistance program (STAP). This bill transferred all authority and functions of that program from the Public Utility Commission to DARS. DARS will solicit public input and comment on any possible rule changes and evaluation of the program. Hearing dates will be posted soon.

CSNA and Town Hall Meetings

Lori mentioned at the National Coalition of State Rehabilitation Councils' (NCSRC) conference that RCT was conducting town hall meetings around the state to obtain consumer input for the comprehensive statewide needs assessment. Conference participants were impressed how well the town halls were attended, that they were held around the state, and that council members took responsibility to conduct the meetings. Other comments from RCT:

- Pleased that DRS and DBS sent out meeting notices
- Suggestion for RCT to compile its own distribution list
- Attend various council meetings and conferences and have a separate session for feedback on DARS services
- CART services were excellent in Houston & Corpus Christi

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- CART cancelled last minute for Laredo and McAllen. Elizabeth Gentry purchased a recorder for these meetings.
 - Town halls can be conducted more frequently than every three years. Dr. Schwab at U.T. is creating a survey process that can be on-going. The benefits of receiving consumer feedback more frequently is to make mid-course corrections and improvements over a three-year period. DARS will be talking with Dr. Schwab about extending or creating a contract to do that.

ACTION: David Norman will ask Dr. Schwab to attend the April 28-29 quarterly meeting and present survey findings and possible future planning.

Committee Reports

Planning & Review Committee

Chair Martha Garber – The 2015 state plan action plan was included in the meeting notebook. Martha asked for volunteers to review various attachments to the state plan. The volunteers' assignments are:

- Joyce Taylor: Attachment 4.8(b)(1) – Interagency cooperation with agencies and entities that are not carrying out activities throughout the statewide workforce investment system.
- Brent Pitt: Attachment 4.8(b)(2) – Coordination with education officials to facilitate the transition of students with disabilities from school to the receipt of vocational rehabilitation services,
- Lori Henning: Attachment 4.8(b)(3) – Cooperative agreement with private non-profit vocational rehabilitation service providers.
- Manuel Lopez: Attachment 4.8(b)(4) – Evidence of collaboration regarding supported employment services and extended services.
- Karen Stanfill: Attachment 4.10 – Comprehensive system of personnel development.
- Elizabeth Gentry: Attachment 4.11(a) – Results of comprehensive statewide assessment of the rehabilitation needs of individuals with disabilities and need to establish, develop or improve community rehabilitation programs.
- Mark Schroeder: Attachment 4.11(b) – Annual estimates of individuals to be served and costs of services.
- Mark Schroeder: Attachment 4.11(c)(1) – State's goals and priorities.
- Mark Schroeder: Attachment 4.11(c)(4) – Goals and plans for Title VI, Part B funds.
- Martha Garber: Attachment 4.11(d) – State strategies and use of Title I funds for innovation and expansion activities.
- Martha Garber: Attachment 4.11(e)(2) – Explanation and report of progress in achieving identified goals and priorities and use of Title I funds for innovation and expansion activities.
- Rana Anderson: Attachment 6.3 – Quality, scope and extent of supported employment services.

Martha will send everyone the information that was submitted by DRS and DBS last year, which may help with any needed revisions. Martha will also provide the guide which states exactly what should be included in each attachment. Martha will also be scheduling weekly

conference calls to facilitate the process, about an hour in length, and the volunteer will lead the call. To clarify, DRS and DBS provided a draft 2015 state plan to RCT that includes feedback received from last year's plan, which is what the RCT will now review.

Lori commented that when she attended the NCSRC conference, other councils were struggling with their state plan and that we've already started with the process, which is a great start.

Consumer Satisfaction & Needs Assessment Committee

Chair Elizabeth Gentry – In addition to reviewing the consumer survey results noted below, this committee also discussed the Community Rehabilitation Provider (CRP) report card. David Johnston from DARS updated committee, and said the system they had developed to collect information about DARS vendors had gotten very complicated and cumbersome, and that there was too much information to make system easy to use. DRS and DBS are looking at how to collect vendor information more efficiently, and assistance may be needed from an outside agency.

Part of the problem was that vendors were getting survey forms themselves and were tasked with having people fill them out and mail them in because DARS couldn't afford the cost of another survey, nor have the staff to maintain the process.

The other thing the committee talked about was that since DRS has the certification process in place for the CRPs, there has been an improvement in what they are hearing. Also, more providers and more DARS staff have attended trainings and workshops, which is great. However, quite a few providers dropped out and didn't re-contract with DARS when they found out they had to go through a certification process and keep certified. DARS lost about 100 providers.

Other states have been contacted about their processes and it's challenging across the country. Some states have electronic dashboards, but it has to be submitted by their electronic management system. At one workshop in Washington that David Norman attended, he learned there is software that connects with the Rehabilitation Services management system that could evaluate providers, but DARS has its own ReHabWorks system that may not be compatible, and it's also very pricey.

Martha Garber asked if there have ever been any focus group of CRPs to get their input into the evaluation process. There does not appear to be. Lori asked that Martha contact her after the meeting to discuss her ideas and possible RCT involvement.

Brent Pitt asked how CRPs associate with community resource coordination groups (CRCGs). DARS has representatives on the CRCGs. There does not appear to be any specific linkage. Rana Anderson mentioned that there is a west Texas Council of Governments (COG) where she lives that occasionally brings groups together.

Membership & Education Committee

Chair Joyce Taylor – Committee discussion included in "New Council Members" section below.

Policy, Procedures & Personnel Development Committee

Chair Karen Stanfill – The policy committee reviews policy and makes comments via email. During the committee meeting Karen chose one policy to discuss, and that was social security policy. The laws states people who are receiving either SSI or SSDI are not required to participate in the cost of vocational rehabilitation services. Both Division for Rehabilitation Services and Division for Blind Services apply this differently. Committee discussed different viewpoints on this law. There is no resolution at this time on this policy, but it was a good discussion.

Another topic of discussion was legal issues with limited liability corporations (LLC). Steve Aleman, attorney with Disability Rights Texas, has been working with Karen and Cheryl Fuller and Laura York on policy wording. The concern is providing services to people who have a self-employment plan when they become a LLC. The thinking has been if you were a LLC then you had a partner and the agency could not support a self-employment plan that included a partner. However, a LLC does allow sole proprietorship.

The last policy discussed was increased need for criminal background checks. Consumers have started on a vocational goal path and later realized their criminal background would prevent them from going into certain fields, and then they had to start the process over. Committee discussed how to get this message out to consumers and counselors.

For the comprehensive system of personnel development (CSPD) topic, it was noted there is an increase in counselor turnover right now, mostly due to lack of salary increases. Also, when counselors are being hired they are asked to agree that they will become a Master's level in order to maintain their job. Even though they sign that agreement form, there are a number of counselors that are not pursuing higher education. It was noted that there is a 17% increase in all state employee turnover rates, however, DARS maintains a 13% turnover rate.

Consumer Satisfaction Survey

David Norman spoke about the DARS Division for Rehabilitation Services (DRS) annual report on consumer satisfaction.

- Surveys were conducted on both open and closed cases.
- Satisfaction increased the further along the process the consumer went, including cases closed unsuccessfully.
- DRS received report from the University of Texas for 2013 showing trending information from the past three years, and compared it to national trends.
- One finding RCT was concerned with has been comparison of job satisfaction with national norms. However, the national survey showed 85% satisfaction, DRS showed 87% satisfaction.
- Another finding is that national results for overall job satisfaction decreased by 4 percent last years, while DRS stayed at the same level.

David also discussed first quarter 2014 closed case survey information, and consumer satisfaction problems that Assistant Commissioner Cheryl Fuller is focused on improving:

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- Responsiveness to Consumers – Complaint has been consumers not getting return phone calls timely. It has been a struggle since the counselors are out in the field so often, and calls either get forwarded or sent to a voice mail box. The goal is to have all 0calls returned within one business day. Satisfaction rate for the first quarter 2013 was 76.7 percent; however, for the first quarter of 2014 satisfaction increased to 81.5 percent.
 - Consumer Informed Choice – a. Satisfaction setting employment goal – increased from 85.6% to 89.1%. b. Satisfaction choosing service provider – increased from 75.2% to 78.3%.
 - Chances for Advancement on the Job – Satisfaction decreased to 63%.
 - Satisfaction with benefits was in the 60th percentile.

When asked if these last two satisfaction rates can be drilled down to specific counselors, David cautioned that U.T. advised against it due to a variety of mitigating circumstances. Area managers are able to monitor units, not specific counselors. Counselors are not able to identify individual consumers by survey results, they're just numbers. Quarterly reports are cumulative. Karen Stanfill asked if she could get a detailed, quarterly report emailed to her. Lori Henning noted that when she attended the National Coalition of State Rehabilitation Council meeting,

some people questioned if the state VR agency should be the agency conducting the consumer satisfaction survey. David noted that DARS contracted with the University of Texas to conduct the survey, DARS has no control over who is surveyed.

ACTION: Karen Stanfill requested detailed quarterly reports. The full council is to receive the cumulative, 4th quarter report annually.

New Council Members

Joyce Taylor created a form email memo to send to people interested in participating on the RCT that includes the application link and instructions. Joyce plans to create a spreadsheet of applicants and send to Gaby Fuentes in the Governor's Office. This spreadsheet would give RCT a means to track appropriate applicants. A bigger concern is RCT members who are currently participating on RCT but their terms have expired.

Karen Stanfill commented that once in the past when appointments were not made timely, up to 8 years, that RCT wrote a letter to the Texas Attorney General asking about re-appointments. The Attorney General's Office contacted the Governor's Office. The RCT then got 15 appointments. Some states ask the RSA to send a letter saying the state rehabilitation council is out of compliance because their appointments aren't current. And Karen reminded the council that Gaby said at our last meeting, "the squeaky wheel gets the grease" and that we need to be really squeaky.

In response to the chair's inquiry about recommendations, Karen suggested that DARS Assistant Commissioners Cheryl Fuller and Barbara Madrigal could ask that Commissioner Durden request the Governor's Office to take action.

ACTION: Joyce will send this spreadsheet information to Gaby at the Governor's Office.

Conference Remarks

Lori Henning attended the National Coalition of State Rehabilitation Councils and the Council of State Administrators of Vocational Rehabilitation conferences in Denver. A big focus was on Senate Bill 1356, which is the bill moving Rehabilitation Services Administration from Department of Education (DOE) and moving it to the Department of Labor (DOL). A breakdown of the bill analysis was not provided; there are approximately 1,800 pages in this bill. There was a push to have states disagree with this move. There is also a House Bill about the Skills Act that may be moved to DOL, but the funding does not move. Some comments heard at conference and on listserv include:

- the more you take away from the structure of the program as it is, it will lose its identity
- remove the appointment of the RSA Commissioner from the President
- conflict between VR program and DOL on who is supposed to pay for what
- types of services could change
- how people get served could change
- goal of DOL is not necessarily to same goal and measurement of how VR is handled
- at DOL, first day on the job and consumer no longer gets services; VR follows consumers 60-90 days
- fear of privatization, not set up like a state agency for employees

Karen Stanfill expressed concern about counselors' ability to do their job, and the current education requirement of master's level in VR. The bill, as proposed, states no specific VR degree requirements.

Martha Garber said that DOL has given more control of funds to local authority. There is a concern that funds may be diverted from serving people with the most significant disabilities and go to some other purpose or group. Current emphasis is on individualized services. It was noted that the Texas governor and other officials do not necessarily agree with the concerns shared by CSAVR.

Lori said she attended meetings on transition services and how few students some states have compared to Texas. She also attended a meeting about youth in foster care and the need for services there.

Joyce Taylor attended the Texas Workforce Commission-Texas Workforce Investment Council joint meeting. Joyce said the conference was well attended, and included a listening session with the U.S. Chamber of Commerce Foundation. Lori had an exhibit at this meeting, and her table contained RCT information.

TWIC will have a listening session March 14 with DARS Commissioner Veronda Durden in Austin.

Statewide Training Conference

DARS Division for Blind Services (DBS) invited the RCT to attend their annual statewide training conference September 10-12 in San Marcos. After discussion of business needs and end of fiscal year due dates, the RCT agreed to cancel the July 21-22 meeting and to meet September 10 in San Marcos to participate in the DBS conference.

ACTION: Martha Garber made a motion to move the July 21-22 quarterly meeting to September 10, from morning until noon, in order to attend the DBS conference in San Marcos. Motion was seconded by Brent Pitt and it was approved unanimously.

Annual Report Review

- Copies of the 2013 RCT Annual Report were distributed. The RCT coordinator will mail additional copies to members, please let her know how many you would like.
- A new form was created for council members to submit any activities from last quarter to this quarter to be included in the 2014 annual report.
- The annual report will be submitted to NCSRC to upload to their website
- The annual report will be made accessible and uploaded to the DARS RCT website
- The report can be shared at various conferences council members attend

Assistant Commissioner Updates

There was no update from Assistant Commissioners or their representatives due to an unexpected off-site event.

Public Comment

There was no public comment.

OLD BUSINESS

- October 21-22, 2013 RCT Minutes –Thelma Scot made a motion to approve minutes as written, Joyce Taylor seconded, approved unanimously.
- Review To-Do List – Chair asked that this list be sent out to council members within 30 days of the previous meeting.

Executive Committee

- **CARRY FORWARD:** Resource Plan and Management Agreement between DARS and the RCT. Lori will follow up with DARS Commissioner on renewing this agreement, with the possibility of making the agreement longer than one year.
- **CARRY FORWARD:** Required Reports Chart – Committee chairs are to send Elizabeth responsibilities of their committee, including start date, due date, etc. of assignments. This information will be included in a revised chart and will be reviewed at the April meeting.
- **CARRY FORWARD:** Karen Stanfill and Mark Schroeder will coordinate discussion on topics from the RSA website for future meeting.
- **ON-GOING:** State plan to be discussed at every meeting
- **DONE:** Apprenticeship Program speaker will be scheduled for April 2014 meeting.

Planning and Review Committee

- **CARRY FORWARD:** Review 2015 state plan action plan attachments.

Consumer Satisfaction Committee

- **ON-GOING:** Continue to monitor statewide needs assessment survey being analyzed by the University of Texas

- ON-GOING: Continue to monitor consumer satisfaction surveys

Membership and Education Committee

- ON-GOING: Recruit new members.
- ON-GOING: Continue to frequently contact Gaby about RCT appointments.

Policy, Procedures and Personnel Development

- Training - Elizabeth Gentry said she tried to get a training link uploaded to the RCT SharePoint, but access was denied since the link is for DARS employees only. Elizabeth will try and provide paper copies.

DARS RCT Coordinator

- Continue to work on RCT Procedure Manual and travel.

NEW BUSINESS

- Discussed topics for April agenda – Tentatively planning a speaker on the Apprenticeship Program, a formal report on the Town Halls and needs assessment survey, state plan update, discuss nominations for council positions, and hearing from a consumer featured in the annual report success stories. Another possible topic would be discussing having a CRP focus group.
- Budget Update - Budget for fiscal year 2014 is \$58,350. Council members reviewed the list of RCT operating expenses and the list of travel expenses. The format changed from the last meeting and is easier to understand. CART expenses for Town Hall meetings was of interest.

Meeting adjourned January 27, 2014 at 12:30 p.m.

Rehabilitation Council of Texas and State Independent Living Council Joint Meeting

Tuesday, January 28, 2014.

NOTE – due to inclement weather, many council members were not able to attend

SILC Chairman Saul Herrera welcomed SILC and RCT council members.

Senate Bills 1226 and 45

Sara Kendall, DARS Program Specialist, gave a presentation on SB1226 and SB 45 regarding employment first legislation. Once the Health and Human Services Commission, Texas Education Agency and the Texas Workforce Commission adopt and publish employment first policy (EFP), employment will be the first option of services explored for any individual who receives publicly funded services.

Independent Living

Laurie Pryor, DARS independent living program specialist, talked about the Division for Blind Services independent living program. DARS is looking for independent living contractors and that more information is on the website.

Liaison Reports

While not every agency was available to present their reports because of the weather, hard copies of reports were submitted by: Client Assistance Program, Partners Resource Network, SILC, Texas Education Agency and the Texas Workforce Investment Council.

Adjournment

Meeting adjourned at noon, January 28, 2014.