

# **Meeting Minutes**

Rehabilitation Council of Texas April 20-21, 2015 DARS Admin Bldg. Austin, Texas

#### **Present:**

- Martha Garber, Chair, Coppell
- Joyce Taylor, Vice-Chair, Houston
- Brent Pitt, Austin
- Casey Hertel, Abilene
- Bruce Hooper, San Antonio
- Cheryl Fuller, Austin
- Joe Tims, Justin
- Karen Stanfill, Houston
- Mark Schroeder, Grand Prairie
- Rene Gonzalez, McAllen
- Troy Myree, Houston

### **Absent:**

- Roger Cortez, Arlington
- Yvonne Batts, Tuscola

### **DARS Reps:**

- David Norman, DRS Liaison
- Ron Ayer, DBS Liaison
- Elizabeth Freaney, DARS RCT Council Staff

### **DARS Staff:**

- Cassie Fisher
- Cecilia Berrios
- Christy Lerche
- Corey Turner
- Don Roy
- Alma Cantu
- Martha Bagley
- Michelle McCall



Shiloh Gonzalez

#### **Guests:**

- Raul Ortiz (TWIC)
- Laura Marra (UT)
- Sandra Bitter (SILC)

#### Welcome and Introductions

Meeting was called to order at 9:00 a.m. by Martha Garber, Chair.

### **Committee Meetings**

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

#### **Public Comment**

There was no public comment.

### **Sunset Commission Recommendations and DARS Update**

DARS Commissioner Veronda Durden provided this information:

- Commissioner has met with over a dozen Texas senators and representatives and has testified before Senate Health & Human Services Committee, House Appropriations Committee and Senate Finance Committee in order to provide an overview of services DARS provides for the state.
- DARS is tracking 392 bills; we provided analysis on 224 bills; 178 bills on watch list.
- Reviewed House and Senate bills regarding funding for DARS programs
- Reviewed DARS Sunset Commission recommendations:
  - Creates guidelines for caseworkers to develop and use a consistent method for case review
  - Directs all state independent living services be provided through Centers for Independent Living
  - Includes statute language for comprehensive rehabilitation services and autism services
- Reviewed Texas Workforce Commission (TWC) Sunset Commission recommendations
  - Directs TWC and DARS to seek transfer of VR, DDS and BET to TWC no later than September 1, 2016
- Reviewed other bills of interest including:
  - Functions across HHS agencies be consolidated by September 2, 2015
  - TEA to establish an autism program
  - o Requires interpreters for the deaf be certified in Texas
- ADA Bus Tour stopped at Criss Cole to celebrate 25<sup>th</sup> anniversary of the ADA
- DARS celebrated Autism Awareness month



### **IRI Chapter Review**

The Institute on Rehabilitation Issues created a book to help state rehabilitation councils understand what and how work needs to be conducted. Mark Schroeder, Chair of the Education and Membership Committee, reviewed Chapters One and Two for the new members, and then reviewed Chapters Three, Four and Five. New members did receive a copy of this book.

### **Speaker**

Sonja Gaines, Associate Commissioner in the HHSC Office of Mental Health Coordination made a presentation entitled "Mental Health: The DARS Connection." Highlights:

- 1 in 5 adult Texans will experience a mental health concern this year
- 29% of DARS clients rehab services have a mental health condition
- 4% of DARS clients receiving blind services also have a mental health condition
- · Cross agency mental health workgroup established to share resources
- Cross Agency mental health initiative grid established to track agency action
- DARS has 17 initiatives on the grid
- Mental health first aid created by 84rd legislature to train the public skills to assist persons with mental health issues
- DARS has now trained 344 people statewide; by June 2015 1,269 staff will be trained with focus on VR counselors. DARS surpasses other agencies in this training.
- Mental health website <a href="http://mentalhealthtx.org">http://mentalhealthtx.org</a> for resources for public
- Texas System of Care site for children with mental health issues http://TxSystemofCare.org
- Texas Veterans Portal for veterans with mental health issues http://veterans.portal.texas.gov
- For immediate help with resources call 2-1-1

### **Open Discussion**

Further discussed home schooled students, including deaf students. This population is one that is underserved or unserved. They are not served by TEA.

Ms. Stanfill mentioned the CAP concern about the slowness of the procurement process since it's moved to HHSC. One of the CAP advocates tried to purchase a product for self-employment and it took five months. This goes along with the problem of DBS not being able to purchase survey services, a re-procurement process. This length of time can be critical for consumers starting school.

 Ms. Fuller said DARS did some joint training with HHSC about the types of acceptable purchases. She said both agencies are trying to get their processes and systems straightened out. She did acknowledge that purchases based off a contract or an emergency purchase is taking a long time.

**ACTION:** Ms. Fuller will ask to get some statistics from HHSC on the length of time it takes to send a RFP to actually purchasing the product or service.



Discussed the possible move of some DARS programs to TWC or HHSC. Since RCT has already sent a letter with concerns to the legislature, members can send personal letters if they choose.

### **Committee Reports**

#### Planning and Review Committee, chair Dr. Rene Gonzalez

The 2016 state plan has been on hold, per the RSA, due to new WIOA guidelines that have not yet finalized. DARS continues to use the 2015 state plan. DARS just received proposed guidance on the unified state planning process, due March 2, 2016. DARS continues to have a separate state plan for DRS and DBS until 2017. Dr. Gonzalez will keep RCT updated in order to work in partnership on unified planning with DARS.

Assistant Commissioner Cheryl Fuller added that the outcome of this legislative session and Sunset Commission determines how we proceed with the state plan. We should know outcome by June 1, 2015. DARS continues to meet with the Texas Workforce Commission (TWC) about a unified state plan if vocational rehabilitation services get transferred to TWC. Public hearings will be scheduled with DARS, TWC and RCT.

DARS wants a thoughtful planning process. The unified plan will be very time intensive during the fall of 2015. DARS will keep RCT informed about plans when finalized.

#### Consumer Satisfaction & Needs Assessment Committee, chair Joe Tims

This committee discussed the lack of a contract for the DBS consumer satisfaction surveys. Discussed the DRS survey results which were provided.

- Laura Marra from UT, School of Social Work, discussed their activities. They are
  focusing efforts on transitioning youth with disabilities. Discussed their review process,
  performance interviews, holding stakeholder focus groups and statewide online surveys
  and data analysis for their final report due in August.
- Ms. Marra discussed her work with homeless youth and how DARS might reach them.
- Planning to reach out to home schooled youth also.

#### Membership & Education Committee, chair Mark Schroeder

Six members participated in the discussion. A current member has resigned, Rana Anderson, who represented parent education. Committee is also looking at replacing Brent Pitt from TEA, and will need to get a complete application from the TEA nomination. Applications still pending at the Governor's Office are a DBS counselor, a DRS counselor and a SILC representative.

- Mark will work with governor's office to renew expiring terms for Troy Myree and Casey Haney.
- Discussion about having the TEA representative not having a term limit, like CAP
- There was discussion on terms of office, specifically partial terms, and staggering appointments.



- There will be a May 13-14 meeting between TEA and DRS to align resources to cover education services.
- RCT election in July for chair and vice-chair. Nominations will be solicited via email.
- If Council members know any good candidates for the RCT, please send resume and pertinent information to Mark.

## Policy, Procedures & Personnel Development Committee, chair Karen Stanfill

Committee discussed the Comprehensive System of Personnel Development (CSPD). WIOA indicates counselors do not have to have Master's, however, Texas is maintaining this criteria and committee was provided report on counselors that are in process of completing their Master's.

- Discussed policy on vocational adjustment training, which is like pre-employment training.
- Ms. Stanfill drafted proposed language for DRS and DBS policies regarding employment goals and IPE. Added vocational goals should be selected based on person's strengths, resources, concerns, abilities, capabilities and has informed choice.
- Also added that counselors should encourage consumers that are eligible to look at advanced training in science, engineering and mathematics. Dr. Gonzalez is going to do some rewriting in this section.
- Other policy concerns for rewriting are employer provided training, and child care.
- Concern was expressed about TWC being prescriptive in policy and perhaps removing the knowledge and experience of the VR counselor, as well as length of time to achieve goals.
- Concern was mentioned about the length of time given to RCT to review policy. RCT is given five days to review, which is not enough. When asked for more time, RCT was told by DARS that no additional time is available.
  - **ACTION:** RCT requested that instead of being involved at the tail-end of the policy process, the Policy Committee be included in communications at the beginning for both DRS and DBS policy. In addition, RCT also asked to be involved when the reasons for change are being discussed, as opposed to the end when change has already been done and DARS is looking for only minor changes.
    - Ms. Fuller suggested a meeting with Ms. Stanfill and Ms. Garber, and both DRS and DBS to review the policy development process.
- ACTION: Ms. Stanfill requested a calendar of all the policy meeting dates.
- Committee reviewed an Impartial Hearing Officer (IPO) decision and had some recommendations. The language used to describe the person seemed to show negative bias. There was no information why the requested training was denied.
  - **RECOMMENDATION:** Provide training for the hearing officers regarding being more factual in their decisions and being more specific to the issues.
    - o Ms. Fuller will discuss this recommendation with DARS General Counsel.

### **DRS and DBS Assistant Commissioner's Report**

DRS Assistant Commissioner Cheryl Fuller and DBS Manager Cecilia Berrios (who presented for DBS Interim Assistant Commissioner Scott Bowman) provided these updates:



- About 8 DARS staff are attending the national Council of State Administrators for Vocational Rehabilitation (CSAVR) conference in Bethesda to get updates from RSA and other partners. This includes a day on Capitol Hill to meet with legislative staffers and states can then meet with their respective delegation.
- There will be over 100 changes for the VR program per RSA, and DARS is trying to assimilate these changes from the new WIOA law.
- Most concerning is the focus on pre-employment transition services for students with disabilities, defined as students 16-21 with an individual education plan (IEP). DARS is responsible for spending 15% of its federal grant on these services, which would be \$29.4 million for DRS and \$7.25 million for DBS. It is not clear what happens if this money cannot be spent within one year, possibly lose it. DARS is trying to proceed as quickly as possible. This funding is to be spent on 5 core services:
  - 1. Job exploration counseling
  - 2. Work based learning experiences
  - 3. Counseling on opportunities for higher education
  - 4. Workplace readiness training
  - 5. Self-advocacy
- One problem with this timeframe is that the DARS system and policies are not set up to track funding this way.
- DARS had to create the practice for staff on how to track their time and how to account for purchases, and these new practices were put in place and have been monitored since March 1, 2015. DARS is working with Financial Services to try and capture these expenses at the beginning of the fiscal year.
- Nine webinars were held in one week to help staff around the state understand the 5 core services and the process for tracking expenses.
- New partnerships with schools are being developed quickly to assist these students.
- This is a huge, time intensive change and DARS is reaching out to TEA and to the Workforce Commission.
- Another requirement of WIOA is for DARS to do more to serve the business community.
- DARS has developed a single portfolio or menu of services to offer businesses, whether
  they are working with DBS or DRS, and staff is being trained on that portfolio. DARS is
  also tracking its work with businesses in a shared database.
- DARS is reviewing 3,000 pages of regulations regarding WIOA.
- DRS and DBS are also working on many Sunset Commission recommendations:
  - Increase case reviews by managers, field directors, etc. Sunset recommends 10%, DRS is reviewing 17%, DBS is reviewing 10%
  - DBS started electronic review of cases uses the DRS system called TXROCS
  - Address presumptive eligibility in a timely manner
  - Use a risk assessment tool
- DARS is working with TEA around children in the school system and VR agencies. TEA
  will hold a meeting in May so the two agencies can understand each other's systems,
  policies, and how to better collaborate. There will be a focus group in May also.
- DRS is focusing on three goals: (1) Increase successful closures, (2) Increase consumers served, and (3) Improve customer satisfaction.



- DRS and DBS reviewed their performance indicators reports, which were provided to council members.
- Upon questioning from RCT, DBS discussed their lack of contract for a provider to obtain consumer satisfaction results. Their previous contract expired, purchasing has moved to HHSC and it has become very untimely. DBS has been working for a year with HHSC to obtain a contract. DBS has no consumer satisfaction results for fiscal year 2015.

#### **LIAISON REPORTS:**

Complete reports were given to RCT members. Highlights include:

- 1. Client Assistance Program Karen Stanfill presented the report. CAP has been working with DARS on statewide issues such as medical weight loss programs and taxi and transportation issues. Some issues CAP has addressed with DARS include: counselors not acknowledging a person on social security and requiring them to participate in the cost of services; agreeing on a vocational goal; writing an IPE for one year when it will take longer to reach goal; timeliness of services; determining eligibility timely; looking at technology needs for people using Mac which are not JAWS compatible; increase in vehicle modification delays, etc.
  - Council discussed problems with vehicle modifications, including suggesting there be a specialist in each region to process these requests. Mr. Schroeder noted that his request for modification has been in process for 15 months. Ms. Stanfill noted that DARS is paying for a rental car for a client because the modification is taking so long. Discussed if the problems stem from counselor knowledge or HHSC Purchasing, or both.
  - INPUT: Ms. Stanfill will take the Council feedback to DARS and see if she can get some data on how long the process takes for consumers.
- 2. State Independent Living Council Craig Davis presented the report. Randall Resneder has been elected chair and Jim Brocato elected vice chair. Craig is working with the governor's office to have Jim appointed as SILC representative to the RCT. SILC held its annual conference March 1-3 in Austin. SILC has been holding public hearings regarding Transportation Works-Assess and Deliver, a grant. SILC staff and RCT Chair met to discuss potential reorganization of vocational rehabilitation and Independent Living programs and services. SILC is planning a SPIL meeting in July.
- 3. Texas Education Agency Brent Pitt shared the link to the first edition of the Texas Transition and Employment Guide, which provides resources useful to students and families. There's also a link to transition contacts for each of the 20 education service centers. TEA also contracts with a service center to publish a list of Transition and Employment Designees in the Texas public schools and the link was provided. TEA is also working with DARS DRS and DBS and stakeholders about sunset recommendations and WIOA. TEA hired Susan May to be the transition contact at TEA and she will be replacing Brent on the RCT as the TEA representative.
- 4. Texas Workforce Investment Council TWIC met on March 6. Apprenticeship and Training Advisory Committee heard reports from various apprenticeship partners on issues of concern, including funding. The Council approved the Chapter 133 apprenticeship formula funding for FY16. Council also approved the Senior Community



Service Employment Program State Plan as a modification to the Strategic State Workforce Investment Plan for Title 1.

#### **OLD BUSINESS:**

- A. January 26-27, 2015 RCT Minutes Bruce Hooper made a motion to approve the minutes; Karen Stanfill seconded. Motion approved.
- B. Reviewed the April To-Do List -

#### **Executive Committee**

- DONE: NCSRC and CSAVR Spring conference No RCT member attended due to legislative activities happening in Austin.
- DONE: Chair sent letters that had been reviewed by council members to legislators regarding Sunset and TWC recommendations.
- CARRY FORWARD: Strategic Planning Session facilitator will be Octavius Bonacquisti and planning will be one full day at the October meeting.
- DONE: Council reviewed letter to DARS Commissioner regarding attendant care
  policy and after discussion suggested changes. Chair will revise.
   ACTION: Motion was made by Mark Schroeder to send the revised letter to
  DARS Commissioner. Casey Hertel seconded, and it passed unanimously.
- ON-GOING: IRI Book Review discuss at each meeting.

#### **Planning and Review Committee**

• DONE: Schedule of conference calls established to review state plan.

#### **Consumer Satisfaction Committee**

- ON-GOING: Continue to monitor consumer satisfaction surveys
- On-GOING: Continue to work with UT and DRS on satisfaction survey

#### **Membership and Education Committee**

• On-GOING: Continue to frequently contact Gaby about RCT appointments.

#### **Policy, Procedures and Personnel Development**

- CARRY FORWARD: Follow up on DBS policy manual re: Social Security policy
- ON-GOING: Follow up on DRS policy on developing vocational goals
- DONE: Schedule conference call with DARS re: employment goals
- ON-GOING: Review impartial hearing results
- ON-GOING: Continue to review all policy manual revisions

#### **DARS RCT Coordinator**

- ON-GOING: Continue to work on procedure manual.
- C. Continued conversation about holding October 2015 strategic planning meeting in Houston. Joyce Taylor will continue investigation.



#### **NEW BUSINESS:**

- A. Budget Update the RCT coordinator reviewed expenses from September 1 to date. Council requested adding the starting amount to spreadsheet.
- B. Invite speaker Dr. Suzanna Hupp, Veteran's Affairs at HHSC, to speak at July meeting.
  - Ron Ayer mentioned there's been a formation of a Veteran's Think Tank that includes the VA, DARS, Workforce Commission and other stakeholders.
- C. Election for Chair and Vice Chair at July meeting.
- D. Review job description with DARS for RCT Coordinator and post for hiring.
- E. Mark Schroeder is going to review the by-laws and update them and bring to Council members for review.
- F. Martha Garber informed members that the Executive Committee held a teleconference with Larry Temple and other staff at TWC. They are very excited about the VR program. Mr. Temple said he visited 2-3 other states that have their VR program within their workforce commission to see how that structure worked. He said they could do more with less, which seemed to indicate positions would be cut.
  - Ms. Garber also has had contact with TRAN, independent living folks, American Council for the Blind, and other stakeholders. People are generally concerned about the things RCT is concerned about.
- G. DARS Complaint Log the complaint log was compiled by the Inquiries Team and will now be included in every meeting packet.
- H. DARS Quarterly Customer Satisfaction Survey Results results for DRS will also be included in every meeting packet. There were no results for DBS due to lack of contract.
- DBS Contract for Customer Service Surveys Council discussed the continued lack of contract for DBS.

**ACTION:** Motion was made by Karen Stanfill to send a letter to HHSC expressing RCT concern about the lack of a DBS contract for a consumer survey provider. Measuring consumer satisfaction is required information for our state plan and a task that RCT is charged with in the Rehab Act and WIOA. We encourage a decision be made as quickly as possible. Mark Schroeder seconded this motion. Motion passed unanimously.

Meeting adjourned at 11:45 a.m. on April 21, 2015.