

**Board of Vocational Rehabilitation
September 11 – 12, 2014**

Governor's Inn, Pierre, SD

Members present: Leo Hallan, Brett Glirbas, Colleen Moran, Chad Maxon, Patty Kuglitsch, Tim Neyhart, Jolleen Laverdure, Lisa Sanderson, Kendra Gottsleben, Matt Cain, Kim Hoberg and Eric Weiss. Members absent: Melissa Flor, Darla McGuire, and Carol Kirchgesler. Others present: Bernie Grimme, Mary Livermont, Laura Stoltenburg, Ronda Williams and Colette Wagoner. Interpreters were: Julie Paluch and Rick Norris.

OPENING ACTIONS: Welcome and Introductions: Brett Glirbas, Chairperson, called the meeting to order at 1:20 pm welcoming all in attendance. He asked everyone present to introduce themselves and share something positive that happened over the summer. Brett reminded members of the use of Robert's Rules of Order and of the meeting protocol attached to the agenda. He asked that everyone also do a show of hands when voting in addition to the verbal yea or nay. He asked for a motion to approve the meeting agenda with a minor change of Bernie Grimme to provide the ASPIRE update in the morning instead of Mary Livermont - **MOTION MADE (M) TO APPROVE THE MEETING AGENDA AS AMENDED, SECONDED (S), AND CARRIED (C).** He moved to the minutes from the June meeting, asking for any changes and staff noted there were several minor edits submitted – **MOTION TO APPROVE THE MINUTES FROM THE JUNE 24/25 MEETING, MSC.** Next, he referred to the Executive Committee August meeting minutes and asked for approval. **MOTION TO APPROVE THE EXECUTIVE COMMITTEE MEETING MINUTES FROM AUGUST 20, MSC.**

TIME FOR PUBLIC COMMENT: No public comment was provided.

ANNOUNCEMENTS: Bernie spoke about the Fall RehabACTION/Transition Conference "Putting the Pieces Together," October 7-9, in Aberdeen. He reminded members that if they are interested in attending, their expenses would be covered by the Board. He or Board staff can assist with registering and obtaining a sleeping room. Lisa shared that SD Parent Connection has been awarded a grant to guide a Community of Care initiative, a statewide consortium to support a system of care that promotes optimal health, functioning, and full participation in all aspects of life for South Dakota children, youth, and young adults with special health care needs (CYSHCN) and their families. She stated that a meeting will be held on September 25 in Oacoma and that financial assistance is available for attendees.

OVERVIEW OF NEW APPLICANT'S TRAINING MODULES AND SUMMER YOUTH TRANSITION PROGRAM: Bernie introduced Laura Stoltenburg, Aberdeen Office District Supervisor, who was present to share resources that vocational rehabilitation (VR) staff are utilizing. New Applicant Training Modules: This is entitled "What to Expect from VR" and contains 'Welcome to VR'; how to start a conversation; overviews of vocational rehabilitation, Rehabilitation Act, and the Americans with Disabilities Act; eligibility for VR and the determination process, and what is the consumer's role in the process. She referenced Person Centered Thinking tools utilized with applicants and those found eligible, e.g. developing self-awareness; what you like/dislike; identifying goals; relationships; what is important to you; good day vs. bad day; health and safety, opportunities and dreams; and interest inventories. The third tool she referenced contains community specific resources. The information might be useful to the person or could be shared with a neighbor e.g., food pantry, churches, addiction/mental health resources, taxes, financial assistance, transition, housing. The information shared is consistent with the Department's "No Wrong Door" approach. Summer Youth Transition: VR staff have been creating a summer group experience for transition age youth. In a group setting, youth discuss what VR services are; what worked/didn't work; preparing for an interview; soft skills, self-advocacy, and post-secondary education and other options. Comments included broadening Project Skills and having more summer work options. It was explained that this part depends upon the school, and if they have the staff to commit during the summer months, some school districts do, some do not. Laura invited members to contact her if they had any questions or to be in contact via email.

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA): Bernie shared that the President signed WIOA into law which replaces the Workforce Investment Act of 1998 and amends the Rehabilitation Act of 1973. This law was supposed to have been reauthorized ten years ago, and it was just signed on July 22nd. He provided two handouts (see attached) which outline details of the final bill. Rehabilitation Services Administration (RSA) will continue to be under the U.S. Department of Education; and the RSA Commissioner will continue to be appointed by the President. Other changes include:

- Lowers the qualifications for vocational rehabilitation counselors; can accept counselors with degrees in non-counseling;
- Increase emphasis on transition services for youth with disabilities; states agencies can dedicate 15% of budget to youth services to provide pre-employment transition services;

- Changes will impact Order of Selection priority levels: adding language about students with disabilities being served as a higher priority level, and higher priority level for those who are at risk of losing employment;
- Supported employment (\$300,000 in funds) will now include a focus of serving youth with intellectual disabilities;
- Performance indicators will be reported similar to how the Department of Labor and Regulation reports;
- Not too many changes will impact the American Indian Vocational Rehabilitation Services programs;
- Transfers of programs e.g., independent living program which includes CILs and SILC, Assistive Technology (DakotaLink) funding to the U.S. Department of Health and Human Services; Administration of Community Living;
- Repealed some programs e.g., in-service training program, migrant seasonal farmworker program, Projects with Industry.

Bernie concluded his comments by sharing that it is anticipated that it may take 2 – 3 years before regulations will be available to provide more concrete guidance on these changes. In the interim, work will be done and the Board will be involved to revise or develop policies and procedures.

BREAK

DIVISION DIRECTOR'S REPORT: Director's Comments: Eric welcomed everyone, extending congratulations to new appointed members. He looks forward to getting acquainted with everyone. DRS Budget: He explained that the Division's budget fluctuates due to the provision of individualized services. He explained that in 2010/11 the number of applicants for services increased, thus case service expenditures were up. Currently, there is a decline in the number of individuals applying for services and expenditures are down. As such, field staff are doing more outreach and are involved with more community activities. State Plan Submission: Eric explained that all vocational rehabilitation agencies are required to submit a State Plan, which the Division submitted at the end of June. Plans are submitted to the Rehabilitation Services Administration for review and approval. Typically, suggested changes are made by RSA and incorporated and then resubmitted. This year the State Plan was accepted without having to make any changes, and has been approved; with an effective date of October 1st. Telecommunication Relay Services (TRS) Rules: Eric explained that the Department presented legislative changes to a Telecommunications statute this session, which was passed and signed by the Governor. Language included rulemaking authority regarding the telecommunications programs. Last week the Department held a public meeting on

the proposed rules for the provision of telecommunication devices and services programs (Telecommunications Equipment Distribution, Telecommunications Adaptive Devices, Communication Assistance Services programs, in addition to establishing the Hearing Aid Assistance Program). He noted that there is still time for individuals to submit written comment(s). There is still work to be done e.g., identifying a vendor for the distribution of newer technology and staff/provider training. The Hearing Aid Assistance Program will offer financial assistance for the purchase of hearing aids for children up to the age of nineteen (utilizing a sliding fee scale). A question was asked about what sort of impact this will have on the budget? The response was that the Division doesn't have any idea of what the need is for this program, and it was explained that the funding comes from the TRS fund and not from the Division's case services budget. Eric shared that he is confident that what is in place will not create a financial problem. He was asked if the state is allotting a specific dollar amount to each program, and the response was no, not yet. He stated that the programs will be monitored as they get up and running, but the Division does not anticipate a significant draw down on the overall budget. Clarification was sought about the programs and the purchase of a given device, but not the monthly fees related to a given device. It was explained that an eligible individual would have the device purchased for them through the program; however, any service needed to utilize the device is the individual's responsibility (e.g., internet monthly service fee). Training Initiatives: Eric explained that the Division contracted with Trevor Manthey to provide motivational interview training to staff to improve and further develop counselor's skills. He noted that the Department, as an overall agency, is utilizing Person Centered Thinking (PCT), and the Division has contracted with an individual to develop PCT tools specific to vocational rehabilitation. So far they have conducted three regional sessions across the state and extended invitations to tribal vocational rehabilitation agencies and independent living center staff. They have identified several VR staff to be PCT coaches to continue carrying on these training efforts. Fall Conference: He referenced the annual conference that Bernie spoke to under the "announcements". This is the annual conference of the Division, and it is moved around to different sites each year. Before concluding the Director's report, a question was asked whether the Division or Department anticipate any bills being introduced this session. Eric responded that he was not aware of any potential bills.

ACTIVITIES OF DAILY LIVING SERVICES (ADLS) PROGRAM OVERVIEW:

Eric introduced Ronda Williams, DRS Independent Living Specialist. Ronda shared the ADLS brochure (see attached) which outlined eligibility, services and how to apply. She explained the program was specific to individuals with quadriplegia so they can remain in their own home vs. moving into a nursing home. The program

was started in 1995 and it is a Medicaid Waiver. It was amended in 2011 to reflect individuals on the program who were employed and removed the cost share imposed on earnings; and it will be reviewed again in 2017. This program allows for a family member or friend to be paid to provide attendant care services. Services provided through the program, beyond personal attendant services, include: emergency response, skilled nursing, case management, consumer preparation and incontinence supplies. The participant must be able to independently direct and manage their own care; e.g., hire/fire, schedule, train and supervise attendant services. There are currently three providers in the State: Independent Living Choices; Home Care Services and Preferred Home Health. Participants are eligible for up to forty-two hours of service per week. There are a total of 97 participants in the program today, with the capacity to serve a total of 138. A question was asked about the personal attendant's wage. It was explained that Medicaid pays for a unit of service which equals every 15 minutes. The provider agency determines what the hourly wage is for the personal attendants they employ. Matt offered that ILC pays \$10.00 an hour for those who are not a Certified Nursing Assistant (CNA), and over \$10.00/hour for those who are a CNA. Starting in January, attendants will be paid for travel time from one person's house to another. It was explained that interpreter services are not currently covered by this program. It was indicated that if interpreter services would be needed, the cost should be covered by the provider agency. Ronda responded that she was unaware of anyone with quadriplegia on the program who is also deaf or hard of hearing. Patty responded that she might know of an individual who has cerebral palsy and is deaf who might need such an auxiliary aid or service to access the program.

A question was asked about services under the Medical Assistance for Workers with Disabilities (MAWD) vs under the ADLS program. It was explained that MAWD is a category of Medicaid that provides personal care services at home and at the employment setting under the Medicaid State Plan. Eligibility, service definitions, rates and other aspects of this program differ from the ADLS Waiver program. Another question was asked why an individual with quadriplegia would not be eligible for the program if they have a roommate. It was explained that if a person has a roommate, it would be expected that the roommate would perform some of the duties e.g., meal preparation, housekeeping.

Discussion followed on possible ways to improve the ADLS program. Some suggestions brought forward were: (1) raising the hourly pay for attendants; it is difficult recruiting attendants when only needing the service for short duration (forty-five minutes to an hour in a morning or evening); a number of attendants work at more than one job; (2) recruit student nurses as attendants and develop a

mechanism so they can utilize these hours to fulfill clinical hour requirements; student nurses could also job shadow to earn hours; this would expose future nurses to attendant care as an employment option; (3) revisit the waiver design and see if it is still what the individuals requesting services seek in terms of self-direction; maybe 'today's' recipient wants the agency to be responsible for management of the attendants or they wish to live with a roommate and still need the service. Finally, there was conversation about the impact the Affordable Care Act has had on providers, in terms of needing to provide health insurance to its employees; it has a potential to negatively impact provider agencies.

MEETING WAS ADJOURNED FOR THE EVENING.

MEETING RECONVENED AT 8:15 AM:

WELCOME AND INTRODUCTIONS: Brett asked everyone present to introduce themselves and share where they were from. Colleen joined the meeting at this time.

ASPIRE (Achieving Success by Promoting Readiness for Education and Employment) Promise Grant Update: Bernie introduced Mary Livermont, Grant Site Manager, and he explained she needs to leave soon to travel to Sioux Falls for a meeting. Two handouts were provided (fact sheet and brochure), and it was explained that this is a research project comparing youth on SSI/SSDI and families who access current services (usual services) to youth on SSI/SSDI and families who will receive enhanced services (ASPIRE services) to explore what services and supports work best. South Dakota is one of six states in the consortium. SD is responsible for enrolling 120 youth and families by March 2016. ASPIRE services will include: training and information for parents/families; individualized explanation of public benefits; how working and increased earnings impact benefits; financial management education/training; case management services; paid employment opportunities and self-determination services. There are four staff in South Dakota: site manager and enrollment specialist in Pierre; one case manager in Sioux Falls and one in Rapid City. Letters are now being sent to over 640 youth to seek their enrollment into the program. Staff are conducting promotional activities. If anyone knows of a group, staff can attend and provide information. A video is now available. This project will have an advisory committee of agency representatives, and a steering committee involving youth. Staff have completed, or are near completion of, benefits counseling training in addition to other training. It was agreed to keep this as a standing agenda item. There were questions about

training, available services, control group, case management services and community outreach.

STATUS OF GOVERNOR'S AWARDS CEREMONY: Eric shared that the ceremony scheduled for September 22nd was rescheduled for October 20th (10:00 am) due to complications resulting from the stained glass restoration in the Capitol Rotunda. The postponement also allowed more time to communicate with recipients and finalize arrangements. The reception will be held at View 34 (Capitol Lake Visitor's Center is being utilized that week for the state employee "flu shot clinic"). Members were reminded of the review committee makeup - members from the Boards of Vocational Rehabilitation and Service to the Blind and Visually Impaired and Statewide Independent Living Council. Invitations to attend will be extended to members of each board and council. Discussion followed on the number of award categories, nominations received this year compared to previous years, removed categories, adding of different categories, etc. Consensus was to add this to the December meeting agenda for further discussion and to provide more history on the awards.

STATEWIDE INDEPENDENT LIVING COUNCIL (SILC) UPDATE: Bernie explained that the SILC has different composition requirements than the Board, but both entities are federally mandated and call for Governor appointments. The SILC hosts quarterly meetings, and there is a contract between the Division of Rehabilitation Services and the South Dakota Coalition of Citizens with Disabilities to provide staff support to both the Council and Board. Due to reauthorization, more changes will impact the SILC and the provision of independent living services. Changes will also impact the State Plan for Independent Living and the necessary signatories for submission. The SILC last met on August 28th in Pierre/Ft. Pierre and some of the agenda items included: impact of assistive technology in independent living, Division of Rehabilitation Services report (Centers for Independent Living reviews, contract renewals), Division of Service to the Blind Report, AT and People with Mental Disabilities, WIOA Update, State Plan for Independent Living Update, SILC Staff Report, consumer satisfaction survey and the Home Modifications and Assistive Devices Program (HMAD). The SILC's next meeting will be held in Ft. Pierre on December 3rd.

STATE WORKFORCE DEVELOPMENT COUNCIL (COUNCIL) UPDATE: Eric noted that the Council oversees the implementation of workforce training programs in South Dakota funded by the Workforce Investment Act (WIA). This Council falls under the Department of Labor and Regulation and has members from business, labor and education. The Department of Human Services Secretary is a member and

Eric attends as her designee; other state departments also have representation (Education; Governor's Office of Economic Development; Board of Regents). Governor Dugaard recently held Workforce Summit meetings in six communities and the reports from each meeting are available at: <http://www.southdakotawins.com/workforcesummits/>. The Governor's Final Report was recently released and can be accessed at: [http://www.southdakotawins.com/images/data/files/summits_final_report\(1\).pdf](http://www.southdakotawins.com/images/data/files/summits_final_report(1).pdf). The Governor will report more on the findings at the September 30th meeting. Eric indicated that staff were represented at these meetings and shared information.

BREAK

EMPLOYMENT WORKS INITIATIVE UPDATE: Eric noted that he has been providing updates on this at previous meetings and can continue to do so regarding the five recommendations and progress made in each area to improve employment opportunities for people with disabilities. A task force was formed last summer with representatives from businesses, individuals with disabilities, family members, legislators, providers, and state agencies. There were three meetings held during the summer/fall, and a report was compiled in January outlining recommendations, strategies and action steps stemming from the meetings. The report can be viewed at:

[http://dhs.sd.gov/EWTF/Employment%20Works%20Task%20Force%20report%20\(FINAL\).pdf](http://dhs.sd.gov/EWTF/Employment%20Works%20Task%20Force%20report%20(FINAL).pdf). Eric discussed Recommendation (1) Find and support businesses to employ people with disabilities. He noted the need to create a single point of contact for businesses/employers to interact with at the state level. A position was created under the Department of Human Services to lead these events. The Business Specialist falls under the Division of Rehabilitation Services and the position was filled the end of July by Kim Hoberg. Kim was a vocational rehabilitation counselor in the Aberdeen office, and she will continue to be located in Aberdeen. Eric turned to Kim to discuss Recommendation (2) Connect businesses to employees with disabilities. Kim provided brochures for "Talent Acquisition Portal" (TAP) and explained this is a national on-line program for businesses and agencies looking to hire individuals with disabilities and for individuals with disabilities seeking employment. Businesses can post jobs, search candidates resumes, interview candidates and have on-line job fairs. Businesses pay for a subscription and they benefit from VR counselors and partnering agencies searching their job listings. Other strategies being addressed include increasing employment opportunities with state government for youth with disabilities. This includes identifying four pilot schools to promote work experience opportunities for youth with disabilities (Project Skills). Bernie and Kim are meeting with school personnel now within the four

districts (Aberdeen, Watertown, Pierre and Rapid City). Recommendation 3 addresses the elimination of disincentives to employment for people with disabilities. One accomplishment to date is the Division of Developmental Disabilities removed the cost share in the CHOICES Waiver. Before, if a consumer earned more than \$400, everything they earned was applied to the cost-share, thus they did not get to keep any earnings beyond \$400. The cost share requirement was removed in July. The Division is also increasing consumer access to benefits specialists, since findings are reflecting that if a consumer receives benefits counseling, they are more successful (e.g., higher earnings, more hours worked). Two ASPIRE staff are receiving training to be benefit specialists. The Division is also working with Black Hills Special Services Cooperative to hire two more benefit specialists. Recommendation 4 to develop flexible systems and promote promising practices, it was noted that the Department wants to become a "Person Centered Planning" agency. Leadership training was conducted in May, and person centered planning training was offered to VR staff. The Division is now identifying subject matter experts to be coaches and to offer ongoing PC approaches to staff. Recommendation 5 speaks to educating the public, providers, employers and people with disabilities. NDEAM events and the Governor's Awards Ceremony were mentioned as activities to help raise awareness. The Division is working with a marketing organization from Sioux Falls to develop tools to reach employers, and to promote the message: "It's good business to hire people with disabilities" (website materials, slogans, commercials). Development of these items will involve the Board with a kickoff in the spring of 2015. A comment was made regarding any campaign and the need to remember "visibility" should include people with hidden disabilities also (show someone using VRI or an interpreter). Another comment was made in regard to small business and the need to make accommodations. There is no financial support for small businesses to make accommodations, provide auxiliary aids or services; and to provide some of these services will cause some to experience financial hardship. There is a need to make this "do-able" for small businesses. Lisa stated she read through the documents (summit meeting notes, final report) and attended one of the summit meetings, and she feels there is a 'disconnect' with the reports/findings, and outcome of increasing employment of people with disabilities. She referred to the TAP program and questioned the use by employers, being one more thing to register for, one more website, and one more thing to pay for. She spoke to ongoing costs related to accommodations and stated that it is imperative that state government get behind the bottom line. A question was raised whether the Board should issue a statement and forward it to the Governor's office regarding hiring people with disabilities/increasing employment opportunities. Eric replied that he felt the Governor was very supportive of this initiative, seeing the benefits and value and wanting to make a difference.

Comments were made about the value of the Board being supportive of the Governor's efforts and that specific actions are important. A comment was made about viewing people with disabilities as a separate group, noting the TAP website, and targeting people with disabilities, and questioning why this isn't coming from the Department of Labor and Revenue or the Bureau of Human Resources, and not create another program or separate service for people with disabilities. The need was stressed to encourage systems to connect, work together, to incorporate people with disabilities into the bigger picture. A suggestion was made that members read the reports and the notes from each community and have more discussion at the December meeting. The following links were shared following the meeting:

South Dakota Employment First Task Force – Final Report

[http://dhs.sd.gov/EWTF/Employment%20Works%20Task%20Force%20report%20\(FINAL\).pdf](http://dhs.sd.gov/EWTF/Employment%20Works%20Task%20Force%20report%20(FINAL).pdf)

Workforce Summit

Final report: <http://www.southdakotawins.com/workforcesummits/>

Community Notes

Aberdeen: <http://www.southdakotawins.com/workforcesummits/aberdeen/>

Brookings: <http://www.southdakotawins.com/workforcesummits/brookings/>

Mitchell: <http://www.southdakotawins.com/workforcesummits/mitchell/>

Rapid City: <http://www.southdakotawins.com/workforcesummits/rapidcity/>

Sioux Falls: <http://www.southdakotawins.com/workforcesummits/siouxfalls/>

Watertown: <http://www.southdakotawins.com/workforcesummits/watertown/>

Eric stated that he wants ideas/feedback from the Board and direction. It was noted that following changes in federal contracts, there is an expectation that the workforce will become more diversified. Tim made the suggestion of using success stories to tell the stories e.g., individual in Vermillion now working more hours, earning more, due to the change in the Division of Developmental Disabilities Choices Waiver; individuals using benefit specialists; promote the employer side of the story of individuals working more and individuals having more spending power. Discussion ensued on utilizing Person Centered Thinking tools and the question was asked of members of how many have participated in this type of training. A few members noted they have attended some training sessions, others have not, and

the suggestion was made to host a PCT mini training session in conjunction with a meeting during the evening. Lisa offered that SD Parent Connection could coordinate something with the December or March meeting and involve Division staff who have been trained.

BRAINSTORMING TIME: Brett spoke to this timeframe being added to the agenda after a visit from former Department Secretary, Laurie Gill. She encouraged members to utilize time together to brainstorm different topics since they are the advisory board to the Division. Brett felt after a few lengthy discussions on earlier topics it was time to move on to closing actions.

CLOSING ACTIONS: Future Agenda Items: ASPIRE Update; Governor's Awards Ceremony; continued discussion on Governor's initiatives; and Person Centered Training introduction. Scheduling Next Meeting: Rapid City was suggested as the next location. Bernie mentioned the Division is hosting the four Native American Vocational Rehabilitation Program staff for a second gathering in Rapid City and this would be a good time for the Board to meet and get acquainted. He spoke to the Board hosting other groups in informal settings to have dialogue. Transition is a focus of the meeting, which is pertinent to the Board. Members agreed this would be a great opportunity. Bernie will work with staff on coordinating the arrangements (December 15/16). Brett asked for a motion to adjourn - **MOTION TO ADJOURN, MSC.**