

# **WISCONSIN REHABILITATION COUNCIL**

**November 11, 2021**

**WebEx Meetings**

**9:00 AM – 4:00 PM**

Roll Call and Introductions

**Members Attending:** Megan Bisonette, Julie Burish, Natalia Graf, Becky Hebda, Deb Henderson-Guenther, Alan Kaltenberg, Elizabeth Kennedy, Mary Kessens, Ramsey Lee, Delora Newton, Alicia Reinhard, Richard (Dick) Straub, Gadeen Taylor-Duke, Joalyn Torgerson, Steven Wheeler, Ann Zenk

**Members Absent:** Anntrice Brown, Edward Kastern, Lori Karcher, Kyle Kleist, Norene Lueck, Debra Notstad

**DVR Staff:** Meredith Dressel, Diana Kiesling, Allison Gordon, Anna Eggebrecht, Sarah Kuehn, Jessica Holton, Danielle Russell, Kathleen Enders, David Knuth

**Guests:** Erica Bessert (Employment Resources, Inc.), Jennifer Wakerhauser, Department of Workforce Development (DWD) Chief Legal Counsel

## **Announcements**

- Patrick Young resigned his seat to become more involved with his local community.

## **Quorum Check**

- 13 voting members, so quorum achieved.

## **Approval of Minutes – May and August 2021**

- May minutes were not sent with materials for this meeting. Majority of people were okay with moving forward to consider minutes as they have been previously distributed for member review.
- Becky wanted to make sure members knew the clarifications and suggested edits to the August minutes. She emailed this amendment for inclusion in the minutes:
  - As currently written:
    - Becky made public comment outside of her participation in WRC. The Association of People Supporting Employment First (APSE) is taking over the Employment First Conference. DVR has a contract with APSE to put together Wisconsin Employment Services Training that will be provided to DVR Staff on Supported Employment. She also shared that as a Service Provider, she was told by DVR that if she has issues with DVR then she can address those concerns with WRC.

- Many students are being referred for services and the Service Provider must follow the Tech Specs. The Tech Spec indicates information must be filled out on Job Center of Wisconsin. That is not helpful in many circumstances, especially if that is the consumer's first job.
- Lack of SSI/SSDI is still being used as a reason that individuals can't receive Work Incentive Benefits Analysis (WIBA). That is not true.

○ Proposed update:

\*Becky Hebda made public comment outside of her participation as a council member of WRC\*

- APSE is working in partnership with other organizations to take over leadership of the annual Employment First conference.
- DVR is working in partnership with WI APSE to put together and fund a Wisconsin Employment Services Training that DVR will offer to DVR Staff. The training will also be available to service providers, Long-Term Care (LTC) funders, and other organizations throughout the state at their own expense.
- Service Providers continue to be told that if they have concerns with DVR, that issues should be addressed directly with WRC, as WRC is the DVR oversight body. However, receiving service provider concerns and feedback is not a specified purpose of the WRC, there is still not a place for Service Providers to bring their questions, concerns, or feedback. Additionally, there is still no written mediation protocol for service providers and vendors.
- There are several groups mentioned in different places within DVR documentation and communication where service providers are involved. They are:

- 1) DVR Service Provider Advisory Group
- 2) Interagency Service Provider Quality Standards Workgroup
- 3) Interagency Service Provider Capacity Workgroup
- 4) CIE Provider Capacity and Quality Workgroup
- 5) CIE Service Provider Capacity Workgroup
- 6) Service Provider Capacity and Quality Workgroup
- 7) Wisconsin CIE Capacity Building Workgroup

The only group where a liaison or a group participation contact list is available is the DVR Service Provider Advisory Group (#1). That group is listed on the DVR website with contact information of the participants, however, there is no indication of what the group addresses, or what they are advising DVR on. There is no notification regarding how the participants were identified, when the meetings occur, agendas, minutes, etc.

(Some of the other groups may be the same group, but names are being interchanged and that makes it confusing for everyone who is attempting to keep track or wants to participate).

- Many students are currently being referred for DVR services. Service Providers must follow the Tech Specs as written. The Tech Specs indicate that all job seeker information must be filled out completely on Job Center of Wisconsin, including previous job history, references, etc. In many circumstances, especially for younger students, if it is their first job, this information is not available. Therefore, inaccurate information is being entered into the DWD system purposefully.

- Job Seekers and Service Providers continue to be told by Vocational Rehabilitation (VR) counselors that they must be receiving SSI/SSDI **or** already be employed to receive WIBA services. This is not accurate.
- Motion to approve May minutes: Julie Burish
- Seconded: Mary Kessens
- All in favor, none opposed, no abstentions
- Motion to approve August minutes: Ramsey Lee
- Seconded: Julie Burish
- All in favor, none opposed, no abstentions

### **Council Engagement: Leadership Roles, Member Responsibilities, and Knowledge Continuity - WRC Executive Committee Members**

- Steven shared that other states sometimes allow a member to serve two, three-year terms, sit out a meeting, and then reapply for their council.
- What are some other ways to maintain continuity and extensive knowledge? Maybe we can invite past members who have specialized knowledge to attend as members of the public.
- Council could revisit discussion of member responsibilities and provide more details about leadership roles in bylaws
  - Chair role is detailed, but others do not have same extent of description in bylaws
- Deb shared that the council could consider figuring out a category for others (past members, etc.) to participate in council meetings.
- Members of the public might be more likely to attend if they are specifically reminded and requested to attend the meeting.
- Public comment serves this purpose of allowing anyone to attend.
- Ramsey Lee stated that these meetings are open to the public for attendance and invites council members to reach out to others to attend because he feels everyone's voice is important. Ramsey would also like to listen in as a member of the public for the Executive Committee member. Maybe notices for committee meetings could be sent to all current council members.
- Mary asked for clarification about what we're trying to solve and offered to send a simple evaluation from Board Source that she has used with groups before and could be adapted for this council to see where their heads are at right now, determine the challenges, and then figure out what to do with them. Suggested the Executive Committee could do a self-assessment at end of year and see what areas there could be to work on in the next year.
- DVR meetings are publicly noticed on the DOA website where all public meetings for all departments are listed, but there isn't a way to subscribe to receive alerts.  
<https://publicmeetings.wi.gov/>
- Gadeen shared the WRC website: <https://dwd.wisconsin.gov/dvr/partners/wrc/default.htm>
- Julie shared that the reason this topic came up was because there was a void when some expertise left as terms ended for certain members. What do others think about creating a category for past members to remain engaged? What is a way to continue momentum on council initiatives if someone with knowledge or expertise leaves?
- Mary asked if previous members want to return? Mary also shared that orienting people to the council could be improved. Longer terms or specialized categories might not be the best answer. Mary will also send an exiting board member survey too.

- Dick suggested an emeritus position term be added but would be non-voting and was limited to one term. Julie agreed with this idea and shared that the term wouldn't be mandatory.
- Delora shared there is prescriptive language at the federal level about positions and terms and doesn't think we'd have the capacity to add emeritus positions to the council. Could review having those added to committees, but likely not the council. Would need to have a conversation about consecutive terms, etc. with the Governor's Office. Delora shared in a previous role as a former Governor's Appointments Director that Administration said someone had to be termed off at least one year before trying to return to it. Governor Evers may have a different opinion on time lapse prior to reappointment consideration.
- Another way to honor this idea is to outreach to them individually as a member of the public such as sending the agenda and associated materials.
- Gadeen shared the value of knowledge and expertise that new people bring to the council. Also thinks giving more training and orientation for new members at the beginning of terms would be helpful.
- Steven shared he has been having conversations with new members about the council, committees, etc. and determining the new members' interest.
- Ramsey also reminded the council about the handbook for members.
- 2019 Guidebook for SRC Chairpersons, Members, and Administrators: [https://ncsrc.starchapter.com/images/downloads/guidebook\\_for\\_src\\_chairpersons.pdf](https://ncsrc.starchapter.com/images/downloads/guidebook_for_src_chairpersons.pdf) (a print version can also be purchased via Amazon).
- Dick felt there should be an official onboarding session for new members before their first meeting.
- Julie felt onboarding and orientation would be helpful.
- Alan suggested sharing the list of members and their terms at orientation too.
- Steven said he's been trying to compile a roster of members and their contact information. His most recent list from the Governor's Office is from December 2020.
- The State Rehabilitation Council – Vocational Rehabilitation Partnership Under WIOA: [https://ncsrc.starchapter.com/images/downloads/src\\_vr\\_wioa\\_nov\\_2019.pdf](https://ncsrc.starchapter.com/images/downloads/src_vr_wioa_nov_2019.pdf) (WIOA is an acronym for Workforce Innovation and Opportunity Act, a law that describes the responsibilities of DVR and the Rehab Councils).
- Mary asked if DVR staff can put together an orientation instead of it all falling on volunteer leaders.
- Becky shared that who develops the orientation should be reviewed and discussed at the executive committee, shared that all states' SRC's look differently, including having a dedicated position solely to WRC duties, etc.
- Ramsey wanted to congratulate DVR because he heard from Jessica Holton at the Assistive Technology Council that DVR received a grant, and he looks forward to hearing about it more.

## **DVR Administrator Updates - Delora Newton, DVR Administrator**

- 16.4% of the successful closures in Program Year 2021 were Supported Employment
- Becky asked about the comparable budget/spending across years, including lower numbers during 2020. Delora confirmed it was both the increased Covid payments to service providers and the fact that it is currently taking about 21 months to spend the grant as opposed to 18 months prior to COVID-19.
- Deb asked that we track the reasons why someone didn't move on to the Debt to Asset Ratio after the Employment and Wage Assessment (EWA). Steven wanted to know if people stopped

because of frustration with the process, or because they maybe they knew nothing would change at the next step. He wants to make sure there isn't unintentional discouragement with the process.

- Delora reassured that we're following these cases and our service provider will continue to get into a rhythm as more EWAs are conducted. She also shared that consumers are informed at the beginning of the process that DVR will only include up to 40 hours per week when calculating the EWA, even if the consumer works more than 40 hours per week. This helps consumers who traditionally work more than 40 hours each week.
- Steven mentioned that the word "limit" still appears on the Exception Form listed on DVR's website: <https://dwd.wisconsin.gov/dwd/forms/dvr/dvr-14918-e.htm>.
- Updating Policy Manual to comply with federal law. DVR will also make more revisions once the Administrative Codes are updated.
- Becky shared that she looked at the START team website for contact info and it includes outdated information, and in one instance, after she contacted the person listed, was referred to another staff person.
- Liz asked for clarification about comparable benefits in the IPE and Sarah explained that WI DVR doesn't see high school as a comparable benefit because of Free Appropriate Public Education (FAPE), but the Rehabilitation Services Administration (RSA) views it differently for reporting purposes, so DVR is updating the case management system to reflect RSA's interpretation.
  - Functionally, this doesn't alter partnership/services/etc., solely reporting and tracking purposes in the internal case management system.
- Becky asked if Wisconsin Employment Services Training (partnered with APSE) will be offered to DVR staff. Can check with Kathleen Enders on possible plans for staff.
- Becky asked, "if in the 2022 meeting, could you please let us know how many of the 176 Project SEARCH (PS) interns that successfully completed the 2020-2021 school year received a community position?" And Joalyn Torgerson asked, "How many individuals in Project SEARCH got jobs?"
  - Delora thinks, anecdotally, about 75 percent of graduates get employment within a year of graduation, but she doesn't have hard numbers.
- Julie asked if DVR was doing anything to incentivize or address the employee shortage in helping consumers get into entry-level jobs
  - Business Service Consultants (BSCs) are actively working with a lot of employers and collaborating with staff to refer consumers, but they have encountered many instances of consumers turning down jobs that match exactly what they say they were looking for, so DVR needs to explore that issue in more detail (i.e., fear of COVID, etc.).
- Gadeen shared, as a counselor up north, there are a lot of consumers doing schooling right now since there are so many online school options available. This is a just an example of another reason consumers are not accepting current positions. There are also a lot of concerns of COVID in the communities and groups have been created to address the caregiver shortage crisis up north. DVR has been invited to and attended these group meetings.
- Ramsey also suggests DVR should "think outside the box" and shared an example of someone who struggles to get ahold of their staff person. Delora advised that this person should contact the supervisor to address those concerns.
- Steven shared that he found the updates of internal workgroups was very helpful. Becky agreed and asked if external groups could be added too, once those were clarified, but as a one-time update.

- Same presentation as provided about one year ago because little movement has occurred until just recently.
- Scope statements with more details were sent to WRC
- Right now, the rules are posted for 14 days for other state agencies to comment about the potential economic impact from the new changes.
- Meeting on Monday with legal and rules coordinator to map out next steps.
- Will meet monthly with WRC Policy Review and Administration Committee to address these changes. Will devote a meeting to one of the four codes. December 16<sup>th</sup> meeting was going to address "DWD 60: Business Enterprise Program (BEP)," but could be changed. If there is a DWD Admin Code topic of interest to council members, email Steven and he can let members know which meeting to attend.
- If DVR can't submit the proposed rules until after March 2022, will get delayed until 2023.
- Julie requests that when reviewing which policies to prioritize, would like to see prioritization being considered as far as what would have the greatest positive impact on consumers.
- Steven feels, "DWD 75: Appeals" could be informed by, "DWD 68: Confidentiality" as far as length of time to get records, etc., so they should be considered together.

### **Disability Innovation Fund Grant Award - Meredith Dressel, DVR Deputy Administrator**

- Meredith Dressel is the Project Director and Jessica Holton is the Project Manager.
- Meredith provided a PowerPoint overview of the grant.
- 5-year grant from Oct. 1, 2021 – Sept. 30, 2026, for \$14 million. Enrollment will begin in early spring of 2022. Four Project positions will be hired to cover the activities required in the grant. The positions will be integrated into DVR.
- Partners in the Grant are other state agencies. Mary Kessens suggested that DVR look at Providers as potential partners as well.
- Can the funds be used to the Wisconsin Technical College System (WTCS) to develop programs? The funds are being used for our consumers to attend WTCS current programs, not develop new programs.
- Healthcare is one of the four areas of focus. Steven mentioned there may be some additional needs around supports for consumers working in a high privacy environment.

### **Wisconsin Open Meetings and Public Records Laws - Jennifer Wakerhauser, DWD Chief Legal Counsel**

- Jennifer shared a PowerPoint on Open Meetings and Public Records.
- WRC is a governmental body and are required to follow the Open Meetings Law.
  - Suggested practice (especially during COVID) to record Open Meetings, but it is not required.
  - Items that would come up for a vote can not be done through email because those are considered open meetings. However, if you are emailing for meeting scheduling purposes or other operational meeting discussions, those are not meetings for open meetings requirements.
  - Should we include public comment on Committee Agendas? Not required, but if offering an option, it must be an agenda item.
- Open Records overview Section 1931 in WI Statutes:

- WRC is required to produce records upon request. Request can be done verbally or written and be reasonably specific. Responses are to be provided as soon as practicable and without delay. Can also deny a request based on specific circumstances such as when records are not available.
- Reviewed what is not an Open Record and what is an Open Record.

## **Public Comment**

- Lawrence Brown, current DVR consumer. Asked what the procedure is when your Vocational Rehabilitation Counselor (VRC) doesn't respond and the newly assigned VRC wants to start over with gathering the consumer's details. Feels like he is not accomplishing anything with his Individualized Plan for Employment (IPE). Feels there are others that are experiencing the same issues. What can these types of consumers do in these situations? Steven suggested that they contact the Client Assistance Program (CAP), he will provide CAP contact information to Lawrence.

## **DVR Training Grants - Deb Henderson-Guenther**

- Deb shared a high-level PowerPoint on the DVR Training Grant process.
- She expressed concern around the amount of the Training Grant fee schedule of \$2,500 a semester. DVR revisits fee schedules on a regular basis.
- Also concerns around parental/family responsibility in the FAFSA in determining the amount of the Training Grant. The FAFSA requirement for parental/family support covers expenses including room, board, and living expenses.
- The Training Grant covers tuition, books, fees, and transportation costs. The concern is that the FAFSA and Training Grant are not covering the same expenses.
- Gadeen shared that DVR has a lot of discussion with consumers regarding the purpose of the Training Grant. DVR does not cover room and board and additional living expenses. DVR does assist the consumer in looking for other funding sources to cover those costs.
- Deb feels that the Training Grant amount and how the calculations are done do not give consumers adequate resources to reach their goal. She hopes that the WRC will continue to assess this issue.
- Mary Kessens shared that funding for DVR services may be an issue that the WRC would like to advocate for. She doesn't feel that the Training Grant should be prioritized over other services.
- Dick agreed with Mary, there are other areas of services that are underfunded as well. Not sure how to prioritize the services that we focus on at this point.
- Steven suggested that his impression of Council member feedback is that members would like to get a broader overview of a larger number of DVR services versus prioritizing detailed review of the Training Grant at the full Council meetings.
- Joalyn Torgerson suggested that WRC look at services after the DVR case is closed. She said that it is very difficult to get assistance after the case is closed and her business struggles with that.

## **Service Provider Compliance and Quality Services - Kathleen Enders and David Knuth, DVR Staff**

- Last spring, DVR started to analyze Service Provider compliance and quality. DVR has been working on criteria to share with consumers to assist them in selecting a provider for DVR services.
- Service Provider Compliance and Quality Services Committee was formed to conduct a review of Service Providers to identify if technical assistance is needed.
- DVR is working to create a list of criteria for Statewide Service Providers to increase quality.
- Service Provider agreements include specific information about their agency and the services that they provide, logistical, contact, website, locations, service area, and a narrative description of them as a provider. The use of that data will be used to populate a consumer selection tool so they can choose a service provider that best fits their needs.
- Measures of quality may include special projects to diverse populations and underrepresented communities, professional associations, years in business, fiscal processing, and caseload demographics for the consumers they serve.
- Assess satisfaction for services by DVR consumers including timeliness, service interruptions, waitlist and then, for each area in the Tech Specs, we will identify professional credentials and certifications that are relevant to those specific services.
- The intended use of the criteria is to enhance the information in the Consumer Selection Tool and implement a Service Provider compliance tool to identify needed technical assistance.
- The purpose is to increase the partnership with Service Provider to improve quality, it is not going to be used as a "gotcha" for Service Providers.
  - Julie asked when the Satisfaction Survey is given to consumers? They are given after the service has been invoiced by the Provider and prior to case closure.
  - Mary shared that this is a heavy lift, and she is glad DVR is working on this. She shared that when looking at results of Providers you must consider the number of referrals, this makes a big difference from one agency to another. In the past, Mary's agency has struggled with outreach to areas of the state where there isn't a physical office, like in rural areas. Kathleen Enders shared that there is room for improvement in how we are sharing service location of providers with consumers.
  - Becky shared that over the last two years of providing services virtually, it has changed the way we look at our service area. She also supports the additional Provider data for consumers but feels like none of this can happen until the Information Technology (IT) system is improved. She feels that there needs to be additional information about the consumer in the Provider Portal. If Providers have more information on the consumer, we can provide better services. She asked what can WRC do to get the buy-in from Service Providers to support these efforts? Kathleen will continue to do outreach to Providers to share what we are doing and how to move forward. It will require future enhancements and will be many years in the making.
    - Delora shared that IT staff who work on our constituent management program do not work for DVR, they work for DWD. DVR requests services from DWD for these staff. The issue is that the DWD IT Division are having an issue hiring individuals. This is part of the reason that our pipeline of projects is longer.

## **UW-Whitewater Section 511 Visits - Kathleen Enders, DVR Section Chief**

- Kathleen reviewed the two documents shared: 1) Narrative Overview of the 511 Service and 2) Statistics of how the service has been implemented.
  - The number of individuals in sub-minimum wage work has steadily decreased since the interviews started. The reasons are worker retirement, CRP's have changed their service models and not longer offer subminimum wage jobs or have closed, students



are no longer able to go from High School into subminimum wage work before coming to DVR.

- Shared most recent interview cycle data.
- Dick asked why are some workers are not interested in working with DVR and Competitive Integrated Employment (CIE)?
  - DVR does not have good data on the reasons. We do share the benefits of working with DVR.
- Liz asked for the age span of the workers interviewed. That data is in the annual report from UWW. In the past, the age range was 18-80 and the age does tend to skew older.
- Steven Wheeler asked whether the decline in the workers is due to decline in young people entering sub-minimum wage work.
- Kathleen shared that in the last year the CRP's were closed or partially closed due to COVID over the last year and half.
- Kathleen will share the link to the UWW Annual Report once we have it published.
- Mary asked if DVR has data on those that worked for subminimum wage that moved to CIE? She shared that the Department of Health Services (DHS) asked anyone over the age of 35 working for subminimum wage if they wanted to retire. That is likely due to the numbers declining. Mary asked if these workers are getting employment services now that they are not working for subminimum wage. She feels that the efforts of DHS have not been significant to provide employment services to this population.
  - Kathleen clarified that we only have the data from UWW, DVR does not serve all these individuals directly.
  - DVR does not have the data on who is working after leaving subminimum wage, DHS may have the data.
- Steven asked if we had data on the gender differential and if it was tied to the type of work? DVR has no data on this.

### **CAP Redesignation and Transition from DATCP to DRW - Deb Henderson-Guenther and Steven Wheeler**

- CAP was officially moved to DRW on Sept. 30, 2021.
- Deb had several meetings with DRW during transition.
- DRW was able to keep the phone number the same for CAP.
- Deb shared systemic issues about DVR.
- DRW hired a CAP person. Her name is Danita Jackson, and she is a former VRC for DVR. DRW is also hiring a supervising civil rights attorney who may focus heavily on employment discrimination. She will be attending a WRC meeting in the future.
- Deb will remain on the WRC as the CAP representative as a designee at least until the end of the Calendar Year.
- Delora shared that DVR has updated our information on how to contact CAP at DRW and will also link to the newly formed DRW website once it has been published.

### **Committee Updates:**

Executive Committee – Steven Wheeler

- Appointments/vacancies
- Agenda item discussion

Services to Business Committee – Becky Hebda

- Last meeting in Aug. 2021 looked at midcycle review to the WIOA combined state plan.
- Invite Patti Johnson to discuss a joint meeting with the BSC's to discuss what's working and not working.
- Identify employers that need training and determine if DVR can pay for that.

#### Council Engagement Committee – Deb Henderson-Guenther

- Met Sept. 10, 2021
- Council vacancies were discussed. Currently have two vacancies for membership on the WRC (One consumer/ One advocate)
- Steven Wheeler has spoken with the Governor's office regarding the best member position type for Natalia Graf since she is a DVR counselor. Delora will follow-up.
- Making position descriptions for the WRC Executive Committee to add to the bylaws.
- How to keep members engaged in the work of WRC.
- Possibility of creating a past-chair position on the WRC.

#### Performance Measures and Quality Assurance Committee – Julie Burish

- Looking at drafting the purpose of the committee and identify the chair.
- Consumer Satisfaction Survey review.
- Comprehensive State Needs Assessment review once it has been finished.
- Next meeting Thursday Nov. 18 from 9:00 a.m. – 10:00 a.m.

#### Policy Review and Administration Committee – Steven Wheeler (temp. Chair)

- Policy Manual edits and Stakeholder Input Session
- Post-Employment definition changing per RSA - Post-employment services are additional services or supports that the client requires to maintain their job. These services are intended to occur during the follow-along period which is a minimum of 90 days.

Motion to add Natalia Graf to the Services to Business Committee and Becky Hebda and Noreen Lueck to the Policy Review and Administration Committee – Moved by Julie Burish and seconded by Dick Straub – Passed.

#### **Review of Open Items and Suggested Discussion Topics for Future Meetings**

- Update DVR Exception Form to remove the word "limit."
- Reasons Existing Business consumers that did not pass EWA opted not to do Debt to Asset service.
- Include DVR external workgroups update at next WRC meeting in the Administrator's Update.
- Review DVR Fee Schedule items – similar to the Training Grant Presentation. This could be done over several meetings. Start with the Retention Assistance, Assistive Technology Fee Schedule, and Transportation
- Statewide consistency of policy implementation for consumer purchases and services. How is staff training on policy conducted?
- Natalia Graf shared those consumers who are the most successful have their basic needs addressed first (housing, food, clothes, etc.). Can DVR fund these types of services?

## **Adjourn**

- Motion to Adjourn – Ramsey Lee, seconded by Deb Henderson-Guenther – Approved.