

Wisconsin Rehabilitation Council
Meeting Minutes
May 10, 2018
Madison, WI

Present: Nancy Molfenter, Rob Buettner, Patrick Young, Beth Swedeen, Jaclyn Borchardt, Cathy Steffke, Delora Newton, Thomas Benziger, Matthew Busch, Julie Barker

Absent: Traci Jones, Ramsey Lee, Jodi Hanna, Barb Klug, Matthew Zellmer, Jason Ostrowski

Resource Staff/Invited Guests: Sarah Lincoln, Jessica Holton, Diana Kiesling, Allison Gordon, Alaina Knief, Anna Eggebrecht, David Cruz, Deb Henderson-Guenther

Public Comment: Becky Hebda, Ken Slaby

Recorder: Sarah Lincoln/Jessica Holton

Call to Order: Nancy Molfenter called the meeting to order at 10:32AM.

Roll Call

Announcements

- Quorum was deemed met at the beginning of the meeting, but was later discovered to be short.
 - Number of Council Seats with Voting Rights: **22**
 - Number of Council Members with Voting Rights Present: **9**
 - Needed for Quorum: **12** members with voting rights
- November 2017 and February 2018 minutes were reviewed and voted on; however, vote result not recorded due to lack of quorum.

Old Business

- Related to a topic from the February meeting, Tom Benziger encouraged WRC members to try to complete the JCW application to identify any potential barriers for individuals with disabilities in the application process. ADRC was recommended as a resource.

New Business

- Cathy Steffke requested discussions on discrimination and service provider competency.
- Beth Swedeen suggested inviting a DHS representative to a future meeting to discuss the new State Employment Leadership Network (SELN) assessment on Long Term Care service provider capacity.
- Beth Swedeen requested a discussion on the BPDD mini grants that were signed into law in April to provide funding to businesses offering natural supports for employees with disabilities.
- Nancy Molfenter added an agenda item for today's meeting – a discussion on the HCB settings rule – which will be added to Delora Newton's DVR Administrative Update.

Public Comment

- Ken Slaby gave public comment regarding services to farmers. He asked the following questions:
 - **Q:** Is anyone on WRC a farmer or have significant working knowledge of farming practices/principles? **A:** No, not at this time, but anyone is welcome to apply to be appointed to the council. Appointments are made by the Governor's Office.
 - **Q:** Does WRC have rules about how many people of different ethnicities or with disabilities are on the council? Can farmer representation be a requirement like that? **A:** There are no specific requirements regarding ethnicity, but the council does have four seats specifically for current/former DVR Consumers. Federal law dictates which groups must be represented on the council, WRC/DVR have no control over these requirements.
 - **Q:** Is there a possibility of splitting DVR services into two programs, one for farmers and one for others? **A:** No, DVR is required by law to apply policies consistently across all populations served. DVR cannot maintain separate service standards or fee schedules for consumers interested in or working in different industries. DVR has policies that pertain to all owners of existing businesses – and they are applied consistently whether it is a farm or any other business.

- **Q:** How much money is earmarked for farmers vs. other consumer groups? **A:** DVR does not have earmarks or limits for services to specific consumer disability types or industries. DVR's services are individualized based on the needs of the individual consumer. However, federal regulations do require DVR to spend 15% of its annual funding on services to youth.
- **Q:** I heard there is a \$5,000 limit for purchases for DVR Consumers, is this true? **A:** No, however DVR Counselors must receive approval from their supervisor and WDA Director before authorizing any purchase over \$5,000.
- **Q:** What is the difference between disability-related and business-related purchases for farmers? **A:** Business-related purchases are those a business owner would need to make to operate their business regardless of disability status. Disability-related purchases are those that are needed to specifically accommodate disability limitations, and would not be necessary if not for the disability. For example, tractor modifications are considered disability-related for a farmer with mobility limitations, as they would not be necessary but for the disability, while the tractor itself is considered business-related, as the farmer would need a tractor regardless of disability status.
- Ken Slaby noted that farmers regularly work more than 40 hours per week, so making minimum wage for hours worked is difficult. Delora Newton clarified for all existing business owners, including farmers, DVR determines hourly wage earned by dividing annual earnings by no more than 2,080 hours (40 hours per week x 52 weeks), no matter how many hours above 40 the business owner works weekly.
- Ken Slaby suggested DVR more closely monitor service provider spending of DVR funds to ensure service providers are making all purchases necessary to meet consumer needs and in the most cost-effective way possible.
- Nancy Molfenter noted that WRC does not have a role in determining funding nor can the council intervene in individual consumer cases.
- Becky Hebda requested follow up on whether DVR would be making all WRC meeting documents publicly available before/after meetings.

- Nancy Molfenter noted that only agendas, minutes, and meeting time/location information are required to be shared, and DVR/WRC intend to continue to meet, but not exceed, these requirements.
- Becky Hebda commented that DVR's service provider capacity maps do not properly reflect staff capacity based on part-time or full-time, nor do they include the capacity of contractors that service providers work with in addition to their employees.
- Becky Hebda mentioned that not all service providers in the state received Comprehensive Statewide Needs Assessment (CSNA) surveys. Sarah Lincoln noted that some emails bounced back, but DVR's intention was for all service providers to receive it, and asked that any service provider who did not receive it reach out to her.
- Becky Hebda noted that several providers attended a scheduled CSNA vendor focus group, but the host never arrived. Diana Kiesling agreed to look into the cause of the issue and follow up.

Agenda Item: WRC Member Recruitment Updates

Nancy Molfenter, WRC Chair

- The Governor's Office has appointed three new council members:
 - **Ann Wales:** Business, Industry, and Labor
 - **Mollie Lonetti:** Native American Rehabilitation Program
 - **Darla Burton:** Advocate for Persons with Disabilities
- Rob Buettner will reach out to all council members requesting they each identify one individual who may be interested in participating on the council and encourage them to apply.
- Jaclyn Borchardt noted that council members should keep diversity in mind (ethnicity/geographical location) when considering options.

Agenda Item: Supported Employment 101

Jessica Holton, DVR Policy Analyst

- Jessica shared basic information on DVR services related to supported employment (SE).
- The council shared concerns about the quality of SE service providers. DVR is working on strategies to address this concern:

- Developing a statewide tool for consumers to select vendors based on performance criteria.
- Vetting providers bi-annually, allowing local offices to review providers more often if needed.
- Encouraging offices to create quality improvement plans for service providers with performance issues.
- Matthew Busch shared his concern that fees to providers for SE services may not be sufficient to cover the costs providers incur.

Working Lunch: Service Capacity Reports

David Cruz, DVR Business Services Consultant (BSC)

Seth Gaedtke, Job Developer, Lincoln Industries

- David Cruz shared his experiences and insights, and clarified his role and responsibilities as a BSC working with DVR's service providers.
 - David implemented bi-weekly service provider "huddles" in his area to review job leads, discuss strategies for connecting consumers with employers, and share upcoming events.
 - David schedules one business tour per month, inviting local DVR staff and service providers – 11 people attended last time.
 - BSCs regularly attend local hiring events to share DWD/DVR information with employers who may be interested in working with DWD/DVR to help meet their recruitment needs.
 - In the past year, David has sent over 1,000 job leads to partners and VRCs, and has been in contact with more than 220 different companies.
- In WDA 6, DVR used to provide businesses a single point of contact, however this strategy was eliminated as businesses simply **want** DWD/DVR services – they don't mind if it takes multiple people (BSCs, service providers, partner agency representatives, etc.) contacting them to get the workforce assistance they need.
- Seth Gaedtke shared that David has been an asset to his business, and provided information about his experience as a service provider.
 - Seth has 19 active cases - half are Supported Employment, 4-5 are students, and the rest are Job Development.

- Though the caseload stays fairly constant, some days/weeks are extraordinarily busy while others are less demanding – it depends on where each consumer is at that time.
- About 80% of available jobs are not a fit for Seth's consumers, so preparation, resume building, and applications are worked on when jobs are not available.
- Transportation is challenging, coordinating with buses, personal guardians, taxi and rideshare services, etc.
- Job carving isn't as common as it should be, many employers are hesitant, though carved positions are often very close to the job description. TWEs help to alleviate employer concerns.

Agenda Item: DVR Administrative Updates

Delora Newton, DVR Administrator

- Delora Newton shared updates on DVR performance measures, budget information, staffing including caseloads, vacancies and turnover, and Wisconsin Promise employment data.
 - Per WIOA, DVR will soon be required to report on median instead of average wages and Federal Program Year instead of Fiscal Year. Requirement effective date to be determined.
 - Approximately 15,500 individuals are being served by DVR at any given time, which has decreased by about 1,000 over the last several years, due in part to the lower unemployment rate.
 - Students going into subminimum wage employment dropped significantly since 2015. DVR will review reported supported employment vs. student work-based learning data.
 - Delays in invoice processing account for lower spending to date, much more is encumbered. Any funds unspent will be automatically rolled over to next year – we have never had to return money and do not expect to in the foreseeable future.
 - DVR is on track with Pre-ETS spending, expecting significant spending on upcoming summer youth programs.
 - DVR secured raises for DVR Counselors, and all State employees will receive a 2% raise in June in 2018 and another in January 2019. Stay interviews have begun for DVR staff.

- Delora updated council members on progress of the UW-Whitewater interviews required by WIOA Section 511. Year 2 summary data is expected to be available by August. Findings will be presented to WRC in November.
- Delora shared updates on signed and pending state and federal legislation, including Act 178, Act 323, Act 354, Act 244, and H.R. 5658. DWD Administrative Rule 65 and the WIOA State Plan were also discussed. **Regarding H.R. 5658:**
 - Rob Buettner shared that his agency, Beyond Vision, supports H.R. 5658. Beyond Vision was not involved in the drafting of the legislation. H.R. 5658 addresses key issues Beyond Vision and other National Industries for the Blind agencies have worked to resolve since WIOA's final rule was issued in August 2016.
 - Rob clarified the intent of the bill from his perspective is not to change the definition of competitive, integrated employment (CIE) in WIOA, but instead allow Ability One programs to be considered CIE opportunities on a case by case basis.
 - Beth Swedeen further explained that the intent is also to allow employment with a Community Rehabilitation Provider (CRP) to count as CIE and therefore a successful DVR case closure.
 - Delora Newton shared that RSA is considering the possibility of a broadening their interpretation of CIE in WIOA for purposes of successful DVR case closure.
 - Patrick Young made a motion to write a letter to the bill authors to indicate that WRC does not support the bill. Delora Newton, Rob Buettner, and Matthew Busch abstained. Vote result not recorded due to lack of quorum.
 - Rob stated that he will send clarifying information about the legislation to all WRC members.

Agenda Item: Order of Selection (OOS)

Delora Newton, DVR Administrator

- Delora Newton shared updates on DVR's current OOS categories and activation of those categories with WRC.

- Motion to support the immediate activation of categories 1 and 2, and retention of category 3 as closed indefinitely – result not recorded due to lack of quorum.

Agenda Item: CAP Update

Deb Henderson-Guenther, CAP Director

- DATCP will be hiring a new Community Services Advocate/CAP Complaint Investigator (69 people applied for the position).
- Deb will be visiting each statewide WDA and ILC in the next year.
- Deb reported that most complaints reported appear to be customer service-related, with miscommunication arising from DVR staff use of DVR jargon instead of plain language.
- Deb shared that, as requested at the last meeting, DVR counselors have improved in replying promptly to consumers and leaving out of office messages on their email and phone when they are out.
- Deb shared that she was informed that the Governor's Office does not intend to appoint her to WRC in the CAP seat.
 - Cathy Steffke made a motion to allow CAP Director a seat at the council members' table until such time a formal appointment to the CAP seat has been made. Motion withdrawn.
 - Nancy Molfenter stated that she will contact the Governor's Office to emphasize WRC's need for a CAP representative.
 - Rob Buettner made a motion to include CAP in all WRC meeting discussions. Matthew Busch seconded. Delora Newton abstained. Result of vote not recorded due to lack of quorum.

Agenda Item: CSAVR Updates

Delora Newton, DVR Administrator

- In an effort to ensure efficient spending of federal funds, the U.S. Office of Management and Budget now requires DVR to submit an annual estimate of expenditures requiring pre-authorization. A revision must be provided if the estimate provided is exceeded.
- Wage per hour documentation is now required for successful case closures. DVR will develop a new policy to meet this requirement.

- Delora shared a list of new RSA requirements, including required pre-approval for DVR office renovations, moves, or equipment, consumer equipment purchases over \$5,000, and BEP equipment.

WRC Committee Reports

- WIOA Committee, Beth Swedeen
 - Committee discussed coordination between schools and DVR
 - Patrick Young submitted a motion to recommend that the START team create a draft best practice document to share with schools and VRCs. Motion seconded by Cathy Steffke. Result of vote not recorded due to lack of quorum.
 - Beth Swedeen submitted a motion to ask DVR, based on information gathered from 511 interviews, to do the following:
 1. Contact each interviewee expressing interest in employment to connect them to DVR services.
 2. Request permission from each interviewee expressing interest in employment for DVR to share that interest with their Managed Care Organization on their behalf.

Delora Newton abstained, and offered to research this topic before the next meeting. Result of vote not recorded due to lack of quorum.
- Executive Committee, Nancy Molfenter
 - WRC member recruitment was discussed.
 - Appointment of three new WRC members, Ann Wales, Mollie Lonetti, and Darla Burton, was discussed.
 - Ensuring statewide representation and diversity within WRC membership was discussed.
 - The 2016-2020 DVR State Plan, the recently passed Competitive Integrated Employment Bill, and updates from CSAVR were discussed.