



## **Commission on People with Disabilities**

October 5th, 2016

### **Welcome and Approval of September 2016 Meeting Summary Minutes:**

Seth Morgan, Chair, convened the meeting. A motion was made to approve the September, 2016 Meeting Summary Minutes. The motion was seconded. A vote was taken and the September, 2016 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at [www.montgomerycountymd.gov/cpwd](http://www.montgomerycountymd.gov/cpwd).

### **Changes Workforce Innovation and Opportunity Act (WIOA) Brings to the Vocational Rehabilitation Program and How the Division of Rehabilitation (DORS) is Responding – Beth Lash, Regional Director, Region VI, Maryland State Department of Education, DORS Services; and Marcia Rohrer, Program Manager I, Maryland State Department of Education, DORS**

**PowerPoint:** [www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/WIOAImplications.pdf](http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/WIOAImplications.pdf)

The Workforce Innovation and Opportunity Act (WIOA) legislation was passed in July 2014 and the final federal regulations were published in July 2016.

WIOA further aligns the Division of Rehabilitation Services (DORS) with the Maryland Department of Labor, Licensing and Regulation (DLLR) One-Stop System, now known as America's Job Centers (AJC), that provide a full range of assistance to job seekers and businesses (free of charge). The WIOA emphasizes AJC's need to focus on service to individuals with barriers to employment, including persons with disabilities.

DORS is now considered a required core partner of the AJC system. With this reauthorization the DORS Vocational Rehabilitation (VR) program is now financially required to contribute to the system statewide. There is a statewide cap for the amount of money that the VR program is supposed to contribute to the one stops system. DORS is also required to develop resource sharing agreements with the one-stops. Region VI (D.C. Suburbs – Montgomery and Prince George's Counties) is currently working on their individual agreements for resources. Ms. Lash is the lead for the agreement with WorkSource Montgomery.

WIOA requires agencies to focus on a "warm" referral system, to track and report on referrals made, to reduce duplication of assessments and services, and to develop common forms for referrals and releases of information.

AJC's/One -Stops will be serving more individuals with disabilities and will need to enhance strategies to serve this population. There will be an emphasis on job training, education, and credentialing as well as developing relationships with employers/businesses. WIOA does not have service tiers for accessing training funds. The overall intention of the WIOA is to shift the responsibilities between VR and the AJC's/One-Stops. More individuals with disabilities, especially adults, will be served by the One-Stop Centers in lieu of services from DORS. DORS currently has a waiting list for services. Since the system pushes DORS to prioritize certain populations it was reducing amounts and more individuals will be put on a waiting list. More people will need to seek employment services through the One-Stop or other available services.

WIOA also institutes common performance measures. VR previously measured successful rehabilitations (employment), minority participation and median wage rate. This information will still be measured, but VR will now be required to measure whether the individual is still employed 2<sup>nd</sup> (six months) and 4<sup>th</sup> quarter (12 months) upon exit from the program as well as median earnings. There is also a measurement for how many individuals obtained a recognized post-secondary credential or secondary school diploma or equivalent during participation in, or within one year of, exit from the program. VR is also required to report on achieving measurable skills gains towards a credential for employment.

Due to WIOA, DORS will now be required to serve in school youth ages 14 to 21 through a new set of services called Pre-Employment Transition Services (Pre-ETS). DORS and all State VR programs across the country are required to set aside 15% of their annual case services funds for Pre-ETS. That sum is \$6,000,000 annually for DORS. They are working to further develop a referral pipeline for these individuals and a service structure to meet the requirements of Pre-ETS.

DORS did not receive additional funds for the delivery of services for Pre-ETS and it has already had an impact on services available for adults with disabilities. There are three order of selection service categories:

- Category #1 is for individuals with the most significant disabilities and they must meet specific parameters to qualify for this category. Parameters: the individual must have three serious limitations in functional area categories. The functional area categories include communication, mobility, work skills, work tolerance, self-direction, interpersonal skills, and self-care.
- Category #2 is for individuals who have a significant disability but do not meet Category 1 parameters.
- Category #3 is for individuals without significant disabilities.

Social Security and Social Security Disability recipients are automatically identified as Category #2. Category 2 has been closed for over two years and there is expected to be a significant waiting list for many individuals who are eligible for services.

Pre-ETS services include job exploration, counseling, work-based learning experiences which may include in school or after school opportunities, experiences outside of the traditional school setting or internships, counseling on opportunities in enrollment in comprehensive transition or post secondary educational programs, work place readiness training to develop social skills and independent living, and instruction in self-advocacy. There is no financial means test for these services. Pre-ETS does not establish any eligibility for VR services beyond Pre-ETS services.

A student with a disability is defined as an individual who is enrolled in a secondary school who has not exited, graduated or withdrawn; is at least 14 years old, but less than 22; and has a disability (i.e. receives services under an IEP or 504 plan, or has a disability for purposes of section 504). Pre-ETS services are no longer available once the student turns 22 or is no longer enrolled in an educational program. There are approximately 37,000 students in the State of Maryland under IEPs or 504 plans that would be eligible for Pre-ETS services. There is a potential for a waiting list if need for services goes over \$6,000,000. There is no order or prioritization or selection for services. Students that apply for VR services first and are waitlisted are not eligible for Pre-ETS services. It is advised that students first apply for Pre-ETS services. Pre-ETS is measured on completion of service.

Montgomery County DORS currently has approximately 2,300 open cases and an average caseload of 170+. Caseloads include individuals on the waitlist. This number does not include Pre-ETS, which currently DORS has 22 Pre-ETS cases with 70 to 80 new referrals. There are 4 transition counselors working with you and one Pre-ETS counselor. DORS is a State agency that must go through a hiring exception process to list a position. It can take up to 9 months to fill a position.

Subminimum wage employment in Maryland is ending in 2020. Many sheltered workshops are letting go of their subminimum wage licenses early. WIOA establishes a new role for DORS to provide to guidance to individuals currently employed at subminimum wage workshops and to counsel them on the availability of competitive integrated employment. DORS will not likely continue to provide job development or coaching for Ability One contracts as they are no longer viewed as meeting the definition of integrated employment. If a person with a disability wanted to apply for those contracts, DORS Staff would direct them to the Ability One website ([www.abilityone.gov](http://www.abilityone.gov)) or advise them to seek assistance from natural support for applying to these programs.

WIOA will be focusing on Supported Employment, especially for youth under age 25. This new ruling will expand the period of time that DORS can provide supported employment – up to two years for adults and up to four years for youth. There is an emphasis for DORS to bridge funding for youth. DORS will also need to extend their case closure timeline to 90-days after transition to long-term funding to demonstrate successful cases.

For DDA and Adult Acquired Brain Injury cases, DORS will pay \$47/hour, up to 35 hours, which maxes out at \$6,345. For behavioral health DORS pays by a mile stone system: \$1,400 at referral, \$1,000 at placement, and \$800 for retention of the job - \$3,200 total.

DORS is now federally regulated to have a 90-day planned development requirement. WIOA expands eligibility to include individuals who want to advance in employment. There is also an emphasis on benefits counseling and coordination with employment network partners as well as increased data collection. There are various barriers to employment, including food stamp eligibility and transportation, and DORS will now be required to monitor and analyze those statistics.

DORS is no longer able to use an extended evaluation period for an individual if there was a question regarding their ability to work. Individuals are now required to participate in a trial work plan and given an opportunity to work with the necessary supports in an integrated setting in an area that interest them.

WorkSource Montgomery was recently awarded a significant grant for providing accessible services to persons with disabilities.

The floor was opened to questions.

- **How does the PRE-ETS program not duplicate the role of Transitioning Youth (TY) counselors within the school system?** It is meant to be a collaboration with the TY counselors and enhance the services they provide. DORS will need the assistance from MCPS to help steer the referral process and assist in matching services to the students.
- **Does DORS offer the same interaction with the pre-release program?** Yes, DORS is required to collaborate and partner with the pre-release program.
- **Can individuals remain in sheltered workshops if they choose to stay?** Individuals can stay in a sheltered workshop if they are being paid a competitive wage. Subminimum wage certificate holders must notify DORS if the individual is receiving subminimum wage. DORS has not supported sheltered workshops for several years. In order for DORS to close a VR case, the individual must have obtained an integrated position.

Further questions can be submitted to Beth via her e-mail at [laura.lash@maryland.gov](mailto:laura.lash@maryland.gov).

### **Chair and Vice Chair Report**

Seth Morgan, Chair, reported that a Transitioning Youth Fair will be held this Saturday, October 15<sup>th</sup> at Montgomery College Takoma Park.

There will be a flash mob event to celebrate White Cane Safety Day on October 15<sup>th</sup> at noon at the Rockville Town Center. Individuals who are blind or who have a visual impairment and their families and friends are invited to participate in this event.

The County Council will be presenting a proclamation on Tuesday, October 18<sup>th</sup> declaring October as National Disability Employment Awareness Month.

The County Council Health and Human Services Committee will be hosting a Boards, Committees, and Commissions Breakfast on Wednesday, October 19<sup>th</sup>. Seth will be attending and will present the Commission's FY18 operating budget priorities.

The Commission's Steering Committee will be held on October 26<sup>th</sup> instead of October 19<sup>th</sup>. The location has been changed to the Rockville Memorial Library, 21 Maryland Avenue, 1<sup>st</sup> Floor Meeting Room.

The Respect the Space survey has been updated to include examples of accessible signage. Completed forms should be sent to Betsy. Please send pictures to Betsy via e-mail or text of the parking spaces, if possible.

Trish Gallalee, Commissioner, and Karen Hochberg, Human Resources Specialist III, Office of Human Resources, were presenters for a webinar on Montgomery County's employment of people with disabilities hosted by RespectAbility. They presented on the advances the County has made with the hiring preferences and non-competitive hiring process of individuals with disabilities. The webinar will be emailed to Commissioners once it has been made available online.

### **Ex-Officio and Member Updates:**

Dennis Pillsbury, ADA Compliance, EOB circle renovation should be able to use the lobby entrance as of October 21<sup>st</sup> barring further delays and will be completed as of October 28<sup>th</sup>.

Charlie Butler, Department of Recreation, reported that the Nancy H. Dacek North Potomac Community Recreation Center will be having a dedication and ribbon cutting ceremony on Saturday, October 22<sup>nd</sup>.

Faisal Khan, Department of Transportation (DOT), reported that beginning July 1<sup>st</sup> Call-n-Ride reduced the eligibility age of seniors from 67 to 65 and the eligible age for persons with a disability is now 18 to 64. On September 3<sup>rd</sup>, Ride On's free ride program for seniors and people with disabilities expanded to include Saturdays from 9:30 a.m. to 3:00 p.m. Currently, those with a Metro Senior SmarTrip® card, a Metro Reduced Fare (Disability) ID Card, or a Medicare Card and Photo ID can ride free on weekdays during the same hours. Conditionally eligible MetroAccess customers ride free all the time. On October 2, 2016, Ride On implemented a new service between Tobytown Drive in Potomac and Rockville Metro Station via Shady Grove Hospital. Major roads served will include Travilah Road, Wootton Parkway, Falls Road and Great Falls Road. The new route is called Route 301. DOT is still working on developing regulations on how to handle the revenue received from Transportation Network Providers, such as Uber. Seth added that he recently attended a meeting at Councilmember Berline's office and the County is on track for making sure the revenue will go towards supporting taxi drivers who provide rides to individuals with disabilities who need an accessible vehicle.

Susan Smith, Housing Opportunities Commission (HOC), reported that a social work graduate intern has been assigned to assist her and the Clutter and Intervention Hoarding Team. The Team has received 13 referrals of individuals with hoarding behaviors. HOC is in the process of evaluating their inspection process and is addressing compliance issues of paperwork and processes for individuals with disabilities not being completed in a timely manner.

Rita Gale, Montgomery County Public Libraries (MCPL), reported that MCPL has received ADA accessible PC Monitors and multi-level electronic-operated computer tables from the State for every branch. "Priority Use" signs have been placed on these tables to encourage priority use for persons with disabilities. At MCPL's Library Accessibility Committee June meeting there was a discussion on providing accessible programming for individuals with disabilities as well as the types of programs individuals with disabilities would be interested in having. More discussions will be held on this topic. It was asked what Metro SmarTrip® cards MCPL sells in their branches. Rita responded to the question via an e-mail after the meeting:

This is what we offer and what is required:

- **Youth Cruiser Smartrip:** This card is active until the person's 19th birthday. The cost is \$2.00. Customer MUST present proof of age and proof of residency and a photo ID. Application MUST be filled out at the branch.
- **Senior Smartrip card:** Must be at least 65 years old. The cost is \$2.00. Customer MUST present picture ID with proof of age. Application MUST be filled out at the branch.

We do not issue Metro Disability Reduced Fare/SmarTrip® ID Cards and have not done so since the paper Disability fare card was discontinued.

Susan Hartung, Developmental Disabilities Advisory Committee (DDAC), reported that DDAC will be focusing on employment for the upcoming year. Cherri Branson, Director, Montgomery County Office of Procurement, will discuss the County's AP 1-10 and Minority/Female/Disabled (M/F/D) contracts at the next DDAC meeting on October 17<sup>th</sup>. Bernie Simons, Director, Maryland Developmental Disabilities Administration, will present at the November 14 meeting.

Kathy Mann Koepke, Liaison to Commission on Health (COH), reported that COH has a very high interest in dental health as well as health disparities as it relates to race and ethnicity.

### **Announcements:**

Larry Bram, Commissioner, announced that he was recently appointed to the Maryland Caregivers Support Coordinating Council (MCSCC). Senator Kelly has discussed renaming the MCSCC to the Maryland Caregiver Commission and

providing full-time staff. The State was recently awarded a Lifespan Respite Care Program grant from the Administration for Community Living, which will help fund activities such as marketing and outreach campaigns to better educate family caregivers about respite and how to access services

Trish Gallalee, Commissioner, announced that interPLAY orchestra, a nonprofit music organization of 67 adult musicians with and without cognitive and other disabilities, is holding a 25<sup>th</sup> anniversary concert on Sunday, October 16<sup>th</sup> at the Strathmore. This group was formed by Paula Moore, former Commissioner, and the name of the group then was the Mighty Music Makers.

**Next Full Commission Meeting:** Wednesday, November 9<sup>th</sup>, 2016 – Executive Office Building, 101 Monroe Street, Lobby Auditorium, Rockville, MD 20850 – 6:00 p.m. to 7:30 p.m.

**Steering Committee Meeting:** Wednesday, November 16<sup>th</sup>, 2016 – Rockville Memorial Library, 1<sup>st</sup> Floor Meeting Room, Rockville, MD 20850 – 5:30 p.m. to 7:00 p.m.

Submitted by: Carly Clem, Administrative Specialist I  
Betsy Tolbert Luecking, Community Outreach Manager