

Responses to 2012 Public Hearing

Disability Employment and Transitions Division (DETD) is one of the 12 divisions of the Montana Department of Public Health and Human Services (DPHHS). DETD includes the combined general and blindness vocational rehabilitation and independent living program, which is named Montana Vocational Rehabilitation and Blind-Low Vision Services (MVR/BLVS). Other programs under the DETD include Independent Living, Disability Determination Services, the Montana Telecommunications Access Program, and DPHHS Public Transportation Coordination. The Administrator of Disability Employment and Transitions serves as the state director of Montana's vocational rehabilitation and independent living programs.

MVR/BLVS and the Statewide Independent Living Council (SILC) conducted the 2012 public hearing on April 3, 2012. The public hearing was held statewide, with Fisher Video Conferencing Solutions sites at Billings, Bozeman, Butte, Great Falls, Helena, Kalispell, Miles City, and Missoula. Over 60 individuals attended the hearing, and 8 people responded by email or regular mail.

The comments help both programs evaluate their service delivery systems, and help develop our state and strategic plans in the future.

The following summarizes the comments received from members of the public. MVR/BLVS and Independent Living have studied the issues and developed responses to those comments and the responses are reported following the summary of the issue. While the reported comments are not verbatim, we believe that they capture the essence and intent of the persons making the comments. MVR/BLVS, and the SILC would like to express their appreciation to those who took the time to provide comment, either in

person or in writing. Responses below are provided by MVR,/BLVS and Independent Living.

Note: The approximate count of comments made on each issue follows the summary of the comments. All counts noted below are approximate. However, it is believed that the counts reflect the volume of comments. Making accurate counts in many cases is difficult as many comments are imbedded within other issues and indications of support for previous issues was sometimes too vague to specify which issues were involved.

MVR/BLVS RESPONSES

The public hearing should have more rural sites and sites on reservations for the public hearings. This would help the underserved, particularly Native Americans. (3 comments)

MVR/BLVS Response: In recent years the public hearing was expanded to some rural sites, but there was little or no participation at the sites. Therefore, to save resources, broadcasts to those sites were discontinued. Efforts to address this situation have focused on opening up alternatives for providing testimony which do not involve a specific site location. At this public hearing, there was an option for persons to call into a toll free line to provide testimony. In the future, there will be the opportunity to provide testimony on an ongoing basis through the agency's website. In addition, written testimony and email testimony has for many years been accepted during a specific time period. While the satellite facilitated meeting for testimony is a major component of the public hearing process, there are a wide variety of other means of submitting testimony for persons who cannot attend the hearing.

With regard to Native American sites, the Native American rehabilitation programs were approached regarding whether to arrange a satellite broadcast in their area and there were no requests to do so. MVR/BLVS is in the process of contacting the Native American rehabilitation programs regarding having a half an hour of time for public hearing when MVR/BLVS state staff make their yearly visits to the program. At this time, two such public hearing times have been arranged and held. The hearing on the Blackfeet Reservation was a particular success with over 20 people in attendance. Comment and discussion was abundant and went well beyond the scheduled time period.

Additional hearings are currently scheduled for Northern Cheyenne, Rocky Boy's and Fort Peck Reservations

The possibility for counselors to arrange public hearing times when they are visiting rural areas is also being considered.

Support was expressed for Centers for Independent Living (CILs) being credentialed certified rehabilitation providers; there is a particular need in that area for persons with visual impairments.

(2 comments)

MVR/BLVS Response: In Montana Administrative Rule 37.30.1002 Standards for Providers of Services Funded Through Certain Disability Transitions Programs: Enrollment as a Provider of Program Services, there are guidelines for providers wishing to provide services for vocational rehabilitation and extended employment services; and for independent living programs. The guidelines for the vocational rehabilitation and extended employment services are different than those for the Independent living programs. A provider could be eligible for enrollment for vocational

rehabilitation and extended employment services, including those with visual impairments, as well as be approved to provide independent living services, if they meet both sets of guidelines. Enrollment of providers of vocational rehabilitation and extended employment services is based upon the approval of a service plan developed by the provider. The MVR/BLVS regional administrator and counselor supervisor are responsible for reviewing and approving plans submitted by providers in their region.

Change policies related to VR services for persons with developmental disabilities with regard to timeliness of supported employment. There was some emphasis on youth leaving high school and not being able to access services because of waiting lists.

(2 comments)

MVR/BLVS Response: There needs to be an indication that a person will have support service available after MVR/BLVS provides the services necessary to place the person in employment and assist the person stabilize adequately for ongoing supports. The reason for requiring evidence that future supports are available is that federal guidelines provide that VR supported services are not to extend beyond 18 months unless there are exceptional circumstances. It takes a number of months for VR to complete placement and stabilization, therefore funding for the ongoing supports necessary after VR closure have to be identified before the VR process can begin. The waiting lists for funding of ongoing supports are the primary issue for VR delaying services. Without knowing funding will be available, it is unrealistic to make a placement that requires ongoing supports. If those supports won't be available at the time of stabilization it could lead to failed placements.

It should be noted that not all persons with development disabilities require supported employment. For those who do not require supported employment, there is not a need to wait for the verification of funding for ongoing supports.

MVR/BLVS is exploring guidelines that would allow increased use of natural supports and Social Security Work Incentives to provide ongoing supports. This would allow for some consumers to receive VR services without having to wait for funding for ongoing supports. Also, in recent years a number of changes have been made in procedures to decrease the wait time on the Extended Employment Services wait list.

There is a need for expanding fee for services related to classes taught by Centers for Independent Living. There should be consistency related to supporting the classes across the state. There was a particular emphasis on the Working Well with a Disability classes. (1 comment)

MVR/BLVS response, in consultation with IL: MVR/BLVS agrees that there could be better collaboration with the Centers for Independent Living in some areas of the state, and is working towards improving collaboration state-wide. The MVR/BLVS managers recently filled out a survey regarding their interaction with the Independent Living Centers in their region, and MVR/BLVS will use this information to identify and address those areas where collaboration could be improved.

Transition of youth with disabilities is a gap in services that needs to be addressed. (4 comments)

MVR/BLVS response: There has been an analysis of the pilot program in the Missoula area. That analysis has led to three main developments.

First, a set of transition tools (Transitions How To Guide; Cooperative Agreement; Goal Positioning System) were developed to clarify understanding and streamline the transitions process. Second, MVR/BLVS committed to the replication of a best practice by embedding MVR/BLVS counselors in the larger high schools to foster a better understanding of MVR/BLVS services and to create a convenience (availability of services) for students, teachers, and parents. The practice has been dubbed the “MVR/BLVS Adopt a School Project.” Thirdly, MVR/BLVS produced youth-friendly marketing materials (video, posters, rack cards, and hand out novelty items, such as pens and suckers) geared to educate the public and promote the referral of transition aged youth.

MVR/BLVS counselors have been trained in the use of the above noted tools. Specific MVR/BLVS counselors have been assigned to adopted schools, and MVR/BLVS marketing materials have been distributed across the state.

Some of the teleconferencing sites were not accessible due to a variety of issues. (3 comments)

MVR/BLVS Response: Until this year the METNET broadcasting services and facilities were utilized for the statewide broadcast of the public hearing. In recent years various concerns were expressed about the METNET services and facilities and Fisher Telecommunications were recommended. The decision was made to try the Fisher services this year. We will be reviewing feedback from this year’s public hearing along with past feedback related to METNET before making a determination of the provider for the next Public Hearing. We do apologize for the difficulties experienced at some of the sites. We will continue to try to identify sites and services appropriate for the diverse community that participates in the hearings.

Support collaboration with community rehabilitation providers particularly in the area of transition services. (1 comment)

MVR/BLVS Response: MVR/BLVS has always partnered with CRPs to provide services for transition age youth. Specifically, MVRBLVS coordinates with CRPs to provide crew based work assessments, community based work assessments, job search assistance, and job coaching services. MVR/BLVS will continue to partner with CRPs in serving youth with disabilities.

There continues to be a need to provide funding for CRPs to train staff. (1 comment)

MVR/BLVS Response: MVR/BLVS did support CRP staff training with one time funding over the last two years. Following the public hearing, staff development support was made available through the Extended Employment program. MVR/BLVS will continue to support staff development for community rehabilitation providers when possible.

The Work Incentives Planning and Assistance (WIPA) projects were not reauthorized. Vocational Rehabilitation should continue to make the services available through fee for service or other arrangements. (12 comments)

MVR/BLVS Response: Discussions between representatives from Montana's Centers for Independent Living and Montana Vocational Rehabilitation/Blind-Low Vision Services resulted in securing such services on a fee-for-service basis for each vocational rehabilitation client as authorized by the client's vocational rehabilitation counselor. In addition the Medicaid Infrastructure Grant is using some of its no cost extension funding to pay for training in this area. Lastly, the federal government may fund WIPA or something like it yet. Many advocates are pressing the US Congress to re-fund the program.

The Montana Youth Transitions (MY Transitions) services were not re-funded in the last legislature. Reestablishing the funding for these services should be supported in the executive planning process.

(8 comments)

MVR/BLVS Response: DETD supports MY Transitions and requested funding for MY Transitions in the Executive Planning Process (EPP).

However, the EPP, the means by which the Governor's budget is established, is beyond the control of DETD. At the time of this writing, no final decisions have been made on MY Transitions, although current EPP guidelines would exclude My Transitions from inclusion in the Governor's budget. It may be that advocates will once again be compelled to approach the Legislature directly to fund MY Transitions.

There needs to be a separate advisory council for the blind.

(1 comment)

BLVS Response: The staff of BLVS (which is a part of DETD) are aware of the benefits of a separate advisory council that can address issues related to the various programs for individuals with blindness or visual impairment. Over the next few months changes in DETD will occur and consideration will again be given to an advisory council or board for BLVS. Decisions related to starting an advisory council or board requires approvals further up the administration hierarchy.

IL RESPONSES

Funding for Independent Living Services should be maintained at least at the current level of funding. (1 comment)

IL Response: DETD requested additional funding for independent living for its annual symposia through the Executive Planning Process. Whether this

remains part of the Governor's budget for the 2013 Legislature is beyond the control of DETD. Nonetheless, DETD remains committed to Montana's independent living programs and will do what it can to build those programs accordingly.

Continue support for the Montana Youth Leadership (MYLF) program. (1 comment)

IL Response: DETD recognizes the need for the MYLF funding to continue at the current level of \$50,000 for the state year.

Support collaboration between Centers for Independent Living and the Tribes in Montana. (1 comment)

IL Response: CILs have at least one reservation in their service area and they collaborate with tribal programs and provide IL services to people who live on the reservations. All four CILs have urban Indian centers (UIC)s in their service areas and collaborate with the UICs' staff to receive referrals and work on addressing accessibility and IL issues in their communities. Also, the CILs address Montana American Indian disability issues through the work of the Montana Native American Task Force (NATF), which is comprised of Native American and CIL representatives. The group is working to develop a statewide list of resources, programs and services available for American Indians with disabilities, particularly those living on reservations. They work with tribal leaders, community members, and program managers to address the need for accessible housing on and off the reservations. An ongoing effort is to develop a tribal liaison for interested governments to address disability issues in a culturally appropriate manner. The Task Force will also work on the development of a resource guide on the utilization of housing programs offered through the Office of Native American Programs and Housing and Urban Development.

The SILC respects American Indian culture and recognizes the sovereignty of tribal governments and works with tribal representatives to address the disability issues that face tribal members by having SILC meetings on reservations to increase the awareness of individual members and tribal needs for culturally appropriate IL services. The SILC recognizes three populations as being underserved in Montana, one being Native Americans with disabilities. These underserved populations are listed in the Statewide Independent Living Plan (SPIL) to enhance the IL services delivery to the three underserved populations. The underserved committee within the SILC also addresses the IL needs of these populations with the tribal VR program director as a member who actively seeks improvement in the lives of American Indians with disabilities through the increased awareness of the IL service delivery system.

The funding that supports the People First organization has ended. Funding needs to be provided to support these services.

(9 comments)

IL Response: The Designated State Unit recognizes the importance of all disability organizations to be active through the various funding mechanisms. Some of the CILs have staff that are coordinators of the People First organizations and may continue to be involved with the organizations.

There were many expressions of appreciation made at the hearing:

Thank you for the provision of Part B and General Funds to the Centers for Independent Living.

Thank you for Jim Marks support of collaborative efforts between Vocational Rehabilitation and Independent Living.

Thank you to vocational rehabilitation services for the quality of services they provide despite funding difficulties

Recognition was given to the efforts of the IL staff and consumers who worked on the accessible housing issue.

Thank you for supporting Montana's application for a Money Follows the Person Grant.