

**JOINT STATEWIDE INDEPENDENT LIVING COUNCIL (SILC) /
STATE REHABILITATION COUNCIL (SRC)
COMFORT INN, BISMARCK, ND
JULY 23, 2015**

MEETING MINUTES

Call to Order

Harley Engelman, SRC Chair, called the meeting to order at 1:05 pm, on behalf of the SRC and the SILC. Harley began the meeting by providing some history of the joint SRC/SILC meetings. These meetings began about a decade ago in attempts to provide education to the councils regarding the structure and operation of each council, to learn about the initiatives each council is working on, to enhance communication, etc. Harley welcomed everyone and asked that when speaking, people identify themselves as there were two people present via conference phone.

Introductions of all those present followed:

SILC Members Present: Jen Schill, Trevor Vannett, Erik Williamson, Bill Willis, Diane Secaniec, Rod Gillund, Emma Leigh Kotzer, Dennis Lyon, Peter Yung, Scott Burlingame & Brittany Hogan.

SILC Members Absent: Larry Thiele, Melvin Erdmann, Royce Schultze, Sandra Koffler, Jamie Hall.

SRC Members Present: Pat Anderson, Scott Burlingame, Russ Cusack, Tim Davenport, Kirsten Dvorak, Harley Engelman, Rodney Gillund, Vickay Gross, Gillian Plenty Chief, Darcy Severson, Kelly Smeltzer, Sheri Wilson, and Sherry Shirek – via conference phone.

SRC Members Absent: Christy Coughlin, Deborah Jendro, Marshall Longie, Kevin McDonough, Darren Moos

Guests Present: Jane Updahl - Senator Heidi Heitcamp's Office, Christine Hogan, Tom Solberg, Brenda Vennes – via conference phone, Warren Granfor, Heather Stefl, LouAnn Nider, Patty Wanner & Helen Baumgartner.

SRC Chair Harley Engelman shared information on the retirement of Cheryl Wescott, Chief of Field Services for DVR. Her last day in the office will be July 31st. He encouraged everyone to send their well wishes to her.

SPEAKER: DHS Executive Office – Tom Solberg, Deputy Director

Tom shared the DHS mission statement. He thanked the council members for their work in accomplishing the DHS mission. Information on the Money Follows the Person (MFP) Rebalancing Grant was shared. There are four groups this grant serves: Older adults, individuals with physical disabilities, individuals with intellectual disabilities and

children. Statistics of the number of people who were assisted through this program in the past two years was shared:

- 2013 – 14 older adults; 18 people w/physical dis.; 20 people w/intellectual dis. & 0 children.
- 2014 – 17 older adults; 27 people w/physical dis.; 14 people w/intellectual dis. & 0 children
- 2015 Goals – 17 older adults; 15 people w/physical dis.; 27 people w/intellectual dis.; and 2 children
- The MFP grant began in 2007. There is a goal to serve 425 people during the grant period.

Tom provided information on the DHS budget. The total DHS budget is \$3.5 billion, with \$1.3 billion being general funds. The breakdown of the DHS budget is as follows: 68% for medical assistance; 17% for direct client services; 9% for field services – Human Service Centers, State Hospital and Life and Transition Skills Center; 4% for administration costs; 2% for Systems Maintenance & Operations and less than 1% to Capital Projects (upkeep).

Some of the Legislative Session highlights that affect DHS were shared by Tom. They include: an increase of 35 slots for Extended Services for the Severely Mentally Ill; an increase of 26 slots for Prevocational Skills for those with TBI; an increase of 35 slots for Extended Services for those with TBI; adding a 10-bed Crisis Unit in the North Central region to serve Minot and Williston; adding a 4-bed Alternative Care Unit in Bismarck; a TeleMedicine Program through UND; ND Cares Program for Veterans; an on-call Mobile Crisis unit in Bismarck; a 15-bed expansion to the Tomkins Rehab Program in Jamestown; in the area of Home and Community Based Services, there were increases in funding to the Vulnerable Adults, 35 slot increase in guardianship for Vulnerable Adults; senior meals; 35 slot increase for Autism Waiver; 10 slot increase for Autism Vouchers; an increase in Autism Waivers to 12 slots through 9 years of age; a 3% inflationary increase for Providers and a \$1.2 million increase for Ambulance providers.

Tom summarized several of the bills which were presented during this legislative session and the affects the results will have on DHS. They are:

- SB2043 – DHS will cover Community Paramedic Services under Medicaid
- SB 2046 – DHS will cover Licensed Marriage Counselors and Family Therapists under Medicaid
- HB1046 – appropriated funding for return to work services for those with TBI and increased funding
 - for statewide TBI services
- SB2048 – appropriated funding for a Substance Abuse Treatment Voucher Program and Consultation
 - Services to implement Behavior Health changes
- SB2289 – increased funding to IPAT

Tom concluded his presentation with a time for Q&A.

SPEAKER: P & A - Christine Hogan

Christine gave a very comprehensive overview of the results of the Legislative Session. A handout of several bills she worked on and the results of each is attached.

EFFECTS OF Workforce Innovation and Opportunity Act (WIOA)

SRC: Russ Cusack, Warren Granfor, LouAnn Nider and Brenda Vennes
DVR is calling WIOA the Opportunity Act.

Warren spoke on how WIOA impacts performance. In the past, the RSA911 report was completed by December 31st of each year. It will now need to be submitted 4X/year to include both open and closed cases. There has been a tremendous increase in the amount of data that is required to be collected from each client. It is estimated that it will take an additional 125 hours a month to collect this additional required data. A part-time staff person has been hired in the State Office to assist Warren with compiling the required data to complete the report.

LouAnn spoke on how WIOA will impact transition services. DVR will need to allocate 15% of its funding for pre-employment transition services. Employment related services will be available to students earlier than before. These services are available for students and youth. Youth are considered to be age 24 or younger. Students are considered to be age 14 – 21 and still in High School. There is a contract in Fargo and Dickinson to provide pre-employment transition services. These contracts are with the school district.

Russ reported that Section 511 is new with WIOA. It states that individuals under age 24 cannot accept employment which holds a special wage certificate – cannot accept employment in a sheltered workshop. In order to accept employment in a sheltered workshop, an individual must apply for VR Services. The person must be determined severely disabled and develop an Employment Plan. If the Employment Plan is unsuccessful, the individual can then accept employment in a sheltered workshop. School Districts are prohibited from contracting with sub-minimal wage employers. A person cannot be employed in a sheltered workshop on their own; they need to apply for VR and try to obtain competitive employment prior to entering a sheltered workshop. People working in sheltered workshops prior to July 16, 2016 will be grandfathered in.

Brenda Vennes spoke on the impact of WIOA on Employer Services. The relationship between employers and DVR will be improved through WIOA. DVR is able to provide education and other services to employers who are interested in hiring people with disabilities. Some services provided through DVR are assistance with recruitment, training people with disabilities, internships, consultation and technical assistance to employers. Employers will be able to have better job matches and utilize the support available when hiring people with disabilities. ND has a history of being proactive when working with employers. ND is ahead of the timelines being used to implement Employer Services through WIOA. ND leads the nation in hiring people with disabilities

at a rate of 53%. ND has expanded its number of Business Services staff from one to three. Business Services staff makes business contacts, increase awareness, help with misperceptions the employer may have, etc. ND has developed a marketing campaign focusing on the services DVR provides to employers. The NDAvantage Campaign provides information for employers.

SILC:

Scott Burlingame gave a report on the effects WIOA will have on the SILC. The Centers for Independent Living will be moved from the Department of Education, Rehabilitation Services Administration to the Administration for Community Living (ACL), which is part of Health and Human Services. The SPIL will be developed by the chair of the SILC and the CIL Directors. The SPIL will need to be signed by the Chair of the SILC, the Director of the Designated State Entity (DSE) and 51% of the CIL Directors. The SPIL will specify who has been designated as the DSE. The DSE will retain no more than 5% of the funds received to use for administrative support services. A 121 Project representative is required only if there is a CIL operated on or within a reservation. The duties of the SILC are to develop, monitor, review and evaluate the implementation of the SPIL; meet regularly and open meetings to the public; submit reports as requested; coordinate with other agencies who work with people with disabilities; and develop a resource plan using 110 funds, funds from all other private and public sources, but using no more than 30% of Part B funds. WIOA has added a 5th core service – transition. This includes transitioning of individuals with significant disabilities from nursing homes and other institutions to home and community based residences; assisting individuals with significant disabilities who are at risk of entering institutions to remain in the community; and the transition of youth with significant disabilities who were eligible for IEPs or have completed their secondary education and are younger than 24 years of age.

SRC/SILC OVERVIEW OF STRUCTURE AND OPERATIONS:

Due to the lack of time, this information will be shared between councils via email. Helen Baumgartner will send the SILC information to Patty Wanner to share with the SRC and vice versa.

SRC/SILC INITIATIVES:

Due to the lack of time, this topic was not covered during this meeting.

COUNCIL COMMUNICATION:

Harley requested ways to enhance the communication between the two councils. Suggestions included: having a mini conference with IL & VR and invite any other agencies that work with people with disabilities; schedule a joint SRC/SILC meeting prior to the legislative session so that there is more input on the bills that will be brought to the legislature; meet in Bismarck for a day for those who are able/interested in taking part in the meeting; have a meeting in conjunction with the annual VR Conference; allow any interested SILC members to attend the SRC meetings and vice versa; and have a member of the SILC attend the SRC meeting to explain the structure of the SILC and vice versa. Russ mentioned that initiatives need to be considered by next March in

order to make it into the DHS budget. The Chairs of the SRC/SILC will meet to discuss the initiatives and bring them back to their respective councils.

Jen made an announcement that everyone is invited to Dakota Center for Independent Living to help celebrate the 25th Anniversary of the ADA. The address was shared with the group.

ADJOURN: With no further business, Harley adjourned the meeting at 4:50 pm.

**NORTH DAKOTA STATE REHABILITATION COUNCIL
QUARTERLY MEETING
PRAIRIE HILLS PLAZA
JULY 24, 2015**

SRC Members Present: Pat Anderson, Tim Davenport, Kirsten Dvorak, Rodney Gillund, Vickay Gross, Kevin McDonough, Darcy Severson, Kelly Smeltzer, Sheri Wilson, and Sherry Shirek – via conference phone.

SRC Members Absent: Scott Burlingame, Christy Coughlin, Russ Cusack, Harley Engelman, Deborah Jendro, Marshall Longie, Darren Moos, and Gillian Plenty Chief.

Chairperson Elect Vickay Gross filled in for Chairman Harley Engelman. Meeting called to order.

Approval of Agenda

Agenda additions:

- Nominations for Chair Elect for 2016
- Discuss Sept 15 meeting in Fargo
- Business Awards 2015

Action: A motion was made by Tim Davenport and seconded by Rodney Gillund to accept the agenda as amended. Motion carried.

Approval of April Minutes

Sheri Shirek requested the minutes be modified to reflect her name under the transition comment on page 2.

Action: A motion was made by Rodney Gillund and seconded by Kirsten Dvorak to accept the SRC quarterly minutes from its last meeting on April 23-24, 2015, as amended. Motion carried.

Appeals Report- Cheryl Wescott, DVR Chief of Field Services

Cheryl Wescott provided an overview of the options for appealing decisions made by the VR agency. Options include informal resolution through the counselor, administrator or field chief; contacting the Client Assistance Program; requesting mediation through their counselor or the Client Assistance Program; or requesting a fair

hearing. The field chief conducts an administrative review for all cases that go to an appeal process.

Cheryl quoted DVRs guiding principles and stated “When all things are equal, legal and based on good rehabilitation counseling, decisions will be made in favor of the consumer.”

Cheryl provided a report of the number and nature of appeals received for FFY 2014. During past year, two appeals were resolved after an administrative review was completed by the field chief and a third appeal was withdrawn before the hearing.

Nominations for Chair Elect

Action: A motion was made by Tim Davenport and seconded by Rodney Gillund to nominate Darcy Severson for the position of Chair Elect and Darcy accepted the nomination. Motion carried.

Voting will take place at the September meeting.

NDACP Conference Report – Sherry Shirek

Sherry Shirek attended the NDACP Conference on behalf of the SRC and shared her experiences with the Council. The conference was held in Fargo, May 6-8 with a focus on employment first. The conference was well attended with over 600 attendees. Sherry learned about macro change and integrating people into the environment and the ASTEP program, focused on integrating individuals with disabilities into college for success.

Kevin McDonough shared information about an employment first meeting being held on August 18, 2015 with Debra Leuking, consultant with the Employment Learning Community (ELC). Debra will also be meeting with the Committee on Employment of People with Disabilities on August 19, 2015.

Kevin McDonough also informed the Council that DPI applied for a technical assistance grant and is one of the finalists. The technical assistance has to do with the state systemic improvement plan. The collaborative relationship DPI has DVR was a huge factor in DPI reaching this point in the process.

Region 5 – Curt Markel, Regional Administrator from Fargo

- Region 5 serves 6 counties (Steele, Traill, Cass, Richland, Ransom, Sargent).
- Full staff with 14 positions made up of the regional administrator, 8 counselors, 1 vision rehabilitation specialist, 1 career assessment specialist, 1 business specialist, and 2 support staff.
- Caseloads continue to increase with the current average 42 clients per counselor.
- Reviewed results of performance goals. Curt is confident they will achieve the goal for number employed and number of plans. The goal for new applicants has been met and all other goals have already been exceeded.

- Business climate continues to be strong in Fargo. A regional workforce study projected 13,500 job openings in next 3 years (2014 – 2019). These are jobs requiring low skill.
- Overall challenges in the region include affordable housing, childcare, and transportation outside of Fargo Moorhead.
- Cass County has enough daycare to meet only 54% of the identified demand.

Vickay Gross inquired what is driving the economy in Fargo. Curt identified hospitality and tourism, medical services and facilities, colleges and universities and other training programs. Manufacturing industry is also a big driving force.

Tim Davenport inquired about technology. Curt stated you don't hear much about Microsoft but they are still in the community.

Vickay Gross inquired about wages in Fargo. Curt responded stating fast food ranges \$9-11 per hour; and retail cashier work is \$10 per hour, depending on experience. This is challenging to individuals and families statewide.

September Meeting & Business Awards

Patty provided details of the September meeting to be held on September 15, 2015 at the Holiday Inn, Fargo from 9 am – 5 pm. The annual business awards will be presented on Thursday, September 17, 2015 at the Governor's Workforce and HR Conference. An awards luncheon will be held and Chair Harley Engelman will be presenting the awards on behalf of the SRC.

Region 8 – Kari Shea, Regional Administrator from Dickinson

- Region 8 serves 8 counties (Adams, Billings, Bowman, Dunn, Golden Valley, Hettinger, Slope, and Stark)
- Currently have 5 positions made up of the regional administrator, 2 counselors, 1 vision rehabilitation specialist, and 1 support staff. Kari has been with VR for 31 years.
- Doing well with performance goals, have met or exceeded some of the goals already.
- Kari shared a handout of Dickinson, ND & Stark County Economy at a Glance. Dickinson has strong manufacturing, tourism, and agriculture and doesn't rely on the oil industry.
- Wages can't compete with oil patch. The minimum wage in Dickinson is around \$12 per hour. Industries are trying to market employment as quality of life versus quantity of money.
- More oil is being produced than ever before but it is no longer a boom. The oil wells are more efficient than before and the individuals are in town to maintain the operation.
- There are trucking and mechanic jobs in the oil patch.
- The disadvantage to the oil slowdown is some stores have pulled out. The city planner is working with developers to not abandon sites.

- Upcoming opportunities include working with school district in rural areas on school to work transition.

Planning/Evaluation Committee

- Pat Anderson is stepping down as chair. Kirsten Dvorak will be the new committee chair.
- DVR is working with Market Decisions to take develop and implement a revised client survey tool. Staff will be meeting in September to begin working on the questions. Clients may start receiving survey calls in January.

Resource Committee

- The Resource Committee is reviewing the exit interview process completed through the Department of Human Services. Although this is not mandatory, Russ Cusack feels this is important and is looking to make this mandatory for VR staff.
- Committee is working with Decision Support Services to develop a staff survey to measure job satisfaction with potential solutions and recommendations.

Membership/Public Relations Committee

Vickay Gross provided a brief update including the following:

- A new committee chair will need to be assigned when Vickay takes over as the SRC Chair the end of this year.
- Vickay reviewed the membership status and noted two members will have their second terms expire by the end of the year. Recruitment will be needed to fill a business representative and a former VR client.
- Jamie Hall, VR Director, Three Affiliated Tribes, submitted an application which will be forwarded to the Governor's Office with recommendation for appointment.
- The townhall proposal needs to be sent to Russ in order to hold the meeting in October in conjunction with National Disability Employment Awareness Month (NDEAM).

Next meeting - September 15, 2015, 9 am – 5 pm; Holiday Inn, Fargo, ND

Patty will send hotel details.

Meeting adjourned.