

State Rehabilitation Council

Quarterly Meeting

March 18, 2021 Meeting

Committee Meetings 9am

SRC Meeting 10 am



I. Call to Order/Introductions/Roll Call

Meeting called to order at 10:05am

Members Present:

Sarah Michaud, Chair

Tracy Agiovlasis, Vice Chair

Bernadine Chavez

Guy Surdi

Keith Maes

Paula Seanez

TJ Chester- *Absent*

Yolanda Montoya-Cordova

DDS Staff:

Charles Hamlin- DDS Administrator-Absent

DVR Staff:

Dan Drury, Interim DVR Executive Director

Michael O'Brien, DVR Administrative Director

Robert Cardon, DVR CFO- *Absent*

All Others:

Jennifer Salazar- DVR Attorney

II. Action Items

A. Approval of Agenda

Yolanda Montoya-Cordova moved to approve agenda.

Bernadine Chavez seconds

Unanimously approved.

B. Approval of Minutes (as minorly amended)

Bernadine Chavez moved to approve minutes.

Tracy Agiovlasis seconds

Unanimously approved.

C. 121 Report- Paula Seanez

D. DVR Directors Reports

I. Interim Agency Director- Dan Drury

II. Chief Financial Officer-Robert Cardon

III. RSU Administrator-Michael O'Brien

IV. DDS Administrator- Charles Hamlin

E. SRC Chairpersons' report- Sarah Michaud

F. Committee Reports

I. Legislative and Outreach Committee- Bernadine Chavez

II. Membership, Training and Awards Committee- Tracy Agiovlasis

III. Transition, State Plan and Outcomes-TJ Chester

G. Old Business

H. New Business

I. DVR Public Hearings and SRC Involvement

II. Discussion/Review of Independent Hearings for DVR

III. Review of resent independent hearings for DVR

IV. Status of DVR Liaison

- V. Conflict of Interest Documents
 - VI. Client satisfaction Survey and Needs Assessment Project
 - VII. NCSRC Update- Bernadine Chavez
- I. Comments from Audience
 - J. Information on Next Meeting
 - K. Adjournment

III. 121 Report – Paula Seanez

Petra, Marcy and Paula have all been working on reporting and grant application over the last 3 months. The current grant applications are due on April 22, 2021. Thank you to Bernadine for providing a letter of commitment support to include with grant. Contacted Dr. O'Brien to obtain a letter of support, as he mentioned he was also working on a grant. Paula will provide him with a sample letter. Tribal VR has a current MOU with NMDVR, ending Sept 30, 2021; can include that with the grant. Tribal VR would like to get a revised MOUs negotiated once they are funded. Grant process is very competitive. Laguna is applying for the grant and had submitted for it last year. Tribes need to obtain a resolution or letter from the tribal government.

Navajo Nation government is moving into the next phase of reopening, which is currently at 25% capacity. Tribal VR has been with a team to look at recommendations and guidance for school re-openings; plan was approved by board of education on Tuesday (March 16,2021). The Board of Education and are giving schools across Navajo Nation the option to select the hybrid mode; to continue to remain on online learning or to implement a hybrid model of school reopening. Tribal VR is working on a school guidance documentation as they work closely with the schools in a VR perspective, and work with students with disabilities. The board and administration wanted input in Tribal VRs involvement. Director Velma and Paula have been a part of these discussions and have made recommendations.

Tribal VR caseload is low; are looking at ways to re-engage the communities and consumers. VR has been analyzing and considering what they have learned through the past year in terms of lack of internet connectivity, communication, engagement through the pandemic, etc. They have had a lot of self-employment outcomes/impacts that, that individuals cannot sell their items out in the community. The grant has an emphasis on job development/creative job development, and job placement options for consumers. Tribal VR is participating with other tribes, the American Indian Technical Assistance and Training Center out of Northern Arizona University to receive training on job development and job placement options. Area staff will be involved in a 7-week long training, with hopes of being able to use the curriculum to continue to work and train other staff. Tribal VR seeks recommendations on job development and job placement; in terms of different models of contracting job developers to bring them on board. Tribal VR is also looking at the mental health aspects of grant application. The pandemic has greatly impacted people, not just people with disabilities, but tribal members in general. Tribal VR is partnering with local behavioral health departments to address the mental health aspects of the VR program. The third area, is transition, continue to put effort and initiative around transition services. Tribal VR is making efforts to partner around the five areas of pre-ETS.

During the last presentation, it was mentioned that tribal VR are gathering for discussions and talking circles around the grant application criteria. Marlencia Chee from Jemez Pueblo was able to join on those calls; hoping she was able to get some good information from those conversations. Petra is working her grant application. She has submitted her application to be appointed to both the SILC and the SRC. Petra and Paula have received their appointment for the SILC. Applications are being completed by appointment only. Petra does have a job developer/ job placement person on onboard and they continue to provide services by appointment only. Marlencia submitted a report from Jemez Pueblo, stating that they are still closed. She continues to work on her grant application and transition imitative with DVR (Project Hope). Project Hope is currently on hold, but they are looking to reopen. The schools are continuing with an on-line learning environment.

IV. DVR Directors Reports

- A. Agency Director – Dan Drury (Interim. Exec. Director)
No report.
- B. Chief Financial Officer- Robert Cardon
Not on call.

C. RSU Administrator – Michael O’Brien

Legislature ultimately decided not to make cuts to budget; decided to go with the governors proposed budget for DVR.

DVR has not yet received the update from the RSA Monitoring. NMDVR has requested a formal exit interview (informal interview in October 2020). DVR has requested a formal exit interview prior to receive the report, to afford time to prepare responses to the report. DVR is expecting to have findings based on the 2017 and 2018 issues, to which most of the current leadership was not with DVR at that time. RSA is pleased with the current leaderships quick response to resolve a number of the issues of concerns. Presently, unsure if those findings will be considered actual finds or end up as technical advice. Much of what RSA was concerned about has already been in process for resolution. Closely tied to this is the Manual of Operating Procedures (MOP), has received from proposed changes over the last year that have been made. New changes were proposed in March 2020 and over the summer 2020, that were also added to the MOP as a result of the monitoring. All edits were incorporated, thus DVR held a public meeting mid-December 2020, to discuss these adaptations and changes, and order of selection. Upon completion, the MOP will go to the legal team for review; once approved, this will then go to Public Comment for 30-days per New Mexico Law. Per the monitoring RSA has requested, that DVR provide consistent policy to all area staff. As a result, DVR has been reviewing and revising a number of Program Policy Instructions (PPI); having already updated about 20 of them. Some have not been looked at since the 90s. These PPIs have been updated based on the RSA guidance and to fit with the current version of the MOP. Additionally, DVR is updating 16 job-aids provided in AWARE; and were completed this week. Apart of this RSA monitoring is the MOU with NMPED; it is not yet completed but are getting closure to resolution. There has been multiple meetings between both agencies. NMPED’s attorney’s expressed possible remedy and completion of MOU. Upon completion of the MOP, DVR will proceed with completing and finalizing interagency MOU with NMPED.

DVR has communicated with Paula Seanez, regarding providing a letter of support for the Tribal VR programs, as they are essential to the services DVR provides. DVR is willing to do what it takes to provide support to Tribal VR. In the fall, DVR met with Tribal VR to discuss MOU, thus will be working to finalize a newer version of the MOU between the two entities that will strengthen their partnership.

RSA has developed and offered a grant opportunity called Career Development Initiative Grant. It is 100% federal funding with no match; is a 5-year grant. There are a number of projects that these funds can be used on. DVR has met with four workforce centers (Yolanda) and partners for employment & disability, and developmental disabilities on potential pathways for these projects submitted to DVR. The grants range from \$3.3 million, up to \$18.3 million for a 5-year period. DVR hopes to have the abstract completed by the end of the day, that way they can move forward with conversations with the partners involved. DVR is targeting employment-job development/job placement. Part of the grant will be used for the waitlist and prior client, to help them advance or get promoted within their jobs. There is a variety of ways that the funding can be used. DVR plans to first target and use funding toward waitlisted clients, who are willing to come off the waitlist to receive services through these funds, thus willing to pursue one of the targets jobs or industries that were in the top 10 sectors and in a particular workforce area. Secondly, the funding would be used on seeking promotion or advancement in their current jobs. There is a component of it that would be dedicated to what is being called “ Adult Project Search”, that would target particular students who have left high school but didn’t get the opportunity for internships as means of moving into employment. Part of the grant process requires to abstract to the partners letters of support form the partners and an MOU specific to the grant. DVR is trying to draft this to see if partners would be interested in it. If the MOU is received well, then DVR can move forward with completing the application. DVR is trying to keep the MOU simple, and to discuss solely what is specified on the grant. DVR is currently seeking a figure of \$6 to \$7 million on the grant application. The grant application process is expected to be very competitive. DVR was notified early March about the opportunity and has only been working on it for 2-wks. Christine Fuller and Mike have been dedicating time not worked on the MOP to the grant proposal.

DVR completed another round of the comprehensive Career Counseling training for all VRCS in December 2020 and January 2021. All counselors went through five 3-hour sessions on different aspects of career counseling to hopefully improve genuine career perspective and plans, helping people move forward. All VRCS, some VRTs, PMs and all FODs participated in this training.

DVR is working on pre-ETS contracts for the upcoming year. As part of the RSA monitoring process, they advise that there were a number of problems with the pre-ETS contracts that DVR has had in the

pat. Some of the contract will be let out on a RFA, because they can't. DVR has previously exempted that. RSA is telling DVR that it will not be able to do that. DVR will have to do an RFA. Partners who have been working in those contracts, who have been involved in the conversation are aware that this is coming up; so, they are able to prepare for that application process. DVR continues to negotiate with CREC; it looks like there will be a contract with them in the next year in terms of providing pre-ETS services. The other issue that DVR is encountering with Pre-ETS services is though they have dedicated extra staff and have made several adjustments, COVID has impacted DVR's ability to work with schools and get the required hours in. It looks like there will be Pre-ETS funding remaining, thus are looking at working with local workforce boards and schools to establish summer programs that would allow spending of these funds; to ensure that would meet the 15% budget requirement. Charlene Chavez has been working on both, DVR believe that these will all be in place in the near future. This would allow for DVR to meet or exceed the 15% budget requirement.

On another note, its important to note that performance is going to be down this year, probably by about half of last year, between employers not being able to bring back people as rapidly as thought. People with disabilities have dramatic concern about the potential impact of COVID on their disability and ability to work. DVR still has a number of people that remain in services; however, these individuals are not yet ready to pursue employment (causing plan delays). DVR is actively encouraging and seeking our opportunities for these individuals.

In reference to order of selection, DVR has taken 200 people off the waitlist in January 2021. Meaning, that DVR has taken over 1000 people off the waitlist since June 2020 (may be closer for 1800 people since September 2019). Currently, there are about 640 people on the waitlist. The waitlist continues to grow, and DVR is serving people in the Priority One group first. Priority Two and Three being placed on the waitlist.

DVR continues to work on filling vacant positions, was down to 120 filled positions. DVR has 161 FTES in RSU. DVR maintains employment with 120 active employees, while advertising and continuing to fill positions. DVR is now at 129 positions filled but has since received noticed of several retirements. DVR is actively posting positions as soon as they are aware of possible vacancy. Budget is available for 161 positions.

D. DDS Administrator- Charles Hamlin

Not on call.

E. SRC Chairperson's Report – Sarah Michaud

The SRC has submitted the annual report. During the last quarter, Sarah has been focusing on the legislative session, providing updates to Alexa Henry (DVR) for the DVR's monthly newsletter. Alexa has been very attentive and reaching out for stories mor meeting information to share in the newsletter. Last month, Alexa was provided with today's meeting information, as well as the fact the SRC continues to look for membership and representation from the business community.

In terms of the legislative reviews, there is further discussion in the committee reports about Senate Bill, which proposing moving DVR. This proposal would allow for DVR to become its own Commission. This directly impact the SRC. SRC did send a letter reprising position when the discussion of moving DVR under Workforce Solutions. The SRC feels very strongly that the disability community needs to be involved in any discussions on the impacts of the movement of an agency that serves people with disabilities. To that consideration any move needs to be given to a place where the agency will be fully funded and respect the work & impact of the agency. The return investment is huge in VR services. The SRC does not want DVR to be minimized in any way. Sarah did attend the Senate Rules hearing for Senate Bill 354 and voices the SRC's position.

SRC Chairperson concludes reporting by asking the SRC to keep in mind that the next quarterly meeting will follow election time, thus, to consider whether or not SRC members will be willing to serve in the role of the chair or vice chair; or simply have thoughts on how the SRC can move forward, to please present these.

VI. Committee Reports

A. Legislative and Outreach Committee – Bernadine Chavez

Sarah wrote a letter on behalf of SRC for legislative session. Met as an executive committee and decided to state the concerns for the concerns. One federal mandate states that all VR programs must have an SRC; being a voice for the consumers. The SRC role is to review policy and procedures. SB 354 came by a surprise to the SRC. The letter clearly expressed the concerns of services to the

consumers. There are concerns that Senate Bill 354 did not include Independent Living. Recommend that if DVR begins working with another individual on SB354, to include IL as DVR acts as the designated state entity for IL funding. Michael O'Brien states IL and SRC information was provided, however information was not used by the legislator. Struggles with individuals not recognizing the federal mandates, thus can put DVR in a High-Risk status. High risk status can put consumers at risk. It is important to ensure the legislators and governors office understand this.

Annual report was to send out to the legislators; has not yet been provided to the legislators, may still be sitting with the prints. Would like to send out the annual report to these representatives along with letter from the SRC introducing the council, contact information and informing of what the SRC is. It has been found many of the legislators do not know who or what the SRC is. The SRC feel the need to educate the legislators more on the SRC. Plans to send a 35-45 physical copies of the annual copies with personal letter. Next year, would like to include more pictures and success stories from DVR.

B. Membership, Training and Awards Committee – Tracy Agiovlasitis

Committee has been working hard reaching out to people to fill agency slots and business slots. Have provided to the governor's office- Jennifer Galhart (Rehab Provider) and Dolores Harden (Parents Reaching Out), in attendance today; Nathan Winhend (Restoration Pizza), Marlenia. Committee has provided these individuals with paperwork to complete that was given by Melissa Salazar (with the governor's office); encouraging to get the process moving. Have been working on this since 2019. Michael Reed, was contacted from CW resources with (cannon air force base); have not yet received a response. Jeff Diamond has also been communicated with but has not been responsive. Removing Jeff and Michael off the list. Will need two or three more people from business. Sandy Sandoval has not attended a meeting in over a year, and term has since expired. Remaining slots within the SILC and someone from NMPED. Goal was to get people reappointed or appointed by end of Feb prior to the March quarterly meeting. Will be scheduling for a meeting with Melissa Salazar, to get process completed. There is a lot of confusion at the Governor's Office regarding the SRCs as there are two in New Mexico; one for the commission for the blind and the other for DVR.

Madam Chair suggests:

- Discuss with Patricia Quintana (SILC Coordinator) to appoint a person from the SILC to the SRC.
- Jason Warden to the SILC reappointed him to the chair. Which was approved by their legal counsel. Suggest when appointments are done that they consider leaving the responsibility with the SRC; thus, allowing the SRC to identify people who want to serve and offers more opportunity.

Committee has been second regarding orientation. Last meeting the committee came up with a list of items to include in a manual and a binder to give people a base of information. The national has provided a PowerPoint that would give people a feel for what the charge of the SRC.

Would like to and work with DVR on the SRC Awards. Who would be the best person to work with on the timing and arrangement of the SRC Award to not interfere with DVR Awards or schedule.

Michael O'Brien suggests:

- Working with Antoinette Holmes, as she is the most knowledgeable.
- Suggest Tracy call, and discuss who would be the best suited for this task, after speaking with the FODs.

C. Transition, State Plan and Outcomes Committee – TJ Chester

No on call.

VII. Old Business

None

VIII. New Business

- A. DVR Public Hearings and SRC Involvement
Have completed Public Meetings. DVR will finalize the MOP, send to legal and then publish with a 30-day comment period.
- B. Discussion/Review of Independent Hearings for DVR
Released a request for application on Feb 1, 2021. Federal law requires that DVR maintain a list of hearing officers, in the event of a fair hearing request. Request for application was open for 1.5 months. Have received three applications in response to the request for proposals. Next week,

there will be a committee of individual evaluation the applications received. SRC Chairperson has appointed two individuals to serve on the committee and represent the SRC. Hope to discuss about the individuals who have applied and make recommendations on who will be accepted; per federal law this must be a joint process. SRC members volunteering are Madam Chair- Sarah Michad and Bernadine Chavez. Goal is to get contracts in place by state fiscal year of July 1.

C. Review of resent independent hearings for DVR

For calendar 2020, there was 8 requests for fair hearing. Of these requests 5 were resolved information, 2 were dismissed by a hearing officer. For calendar year 2021, have had 4 requests for fair hearing. Of these 2 were resolved informally, 1 is currently pending. Jennifer Salazar (NMDVR Legal) has provided SRC Chairperson with redacted copies of the hearing officers decisions, per federal regulations.

D. Status of DVR Liaison

On behalf of the SRC and executive committee, is there or when will there be an assigned SRC Liaison to the agency. In the past, there has been a DVR staff member who has assisted with coordination of SRC activities from ensuring that the annual report is printed, and distributed, helping with public notices of meeting is handled, transcribing meeting minutes. Currently, Alicia DeVargas (RSU Executive Secretary) is doing a majority of these tasks, though not officially assigned to the role. SRC is formally requesting SRC Liaison, so they know who the point of contact will be.

Under bylaws the meeting minutes have to be posted on the website within five-days of the meeting. There is expressed concern over meeting this, as it does not allow for public review. The SRC Liaison would be the person to help coordinate the data draw down for the annual report to ensure the tally of agency services, success stories, pictures.

Michael O'Brien- DVR previously had a SRC/SILC liaison position. The current administrations is trying to determine if there is sufficient work to justify a full-time FTE. In the meantime, Ms. Mourning Brown, has assigned Alicia, to complete minutes and coordinating activities, as well as himself. Currently, there is no full-time position dedicated to becoming a liaison. Mike and Dan to discuss a plan to stabilize SRC Liaison position.

E. Conflict of Interest Documents

During a conversation at the National Coalition about Conflict-of-Interest statement. Recommend the SRC should obtain a conflict-of-interest statement annually, DVR to keep on file. Reason for the document, is to protect the SRC and consumers. For example, if there is going to be a vote that creates a conflict of interest for an individual, that individual is responsible for removing self from that vote; especially is their direct ties- i.e. a few years ago there was a SRC member who was submitting to DVR as a hearing officer. This document would establish clarity of federal regulations that state you cannot make money off being an SRC member, you cannot direct contracts family members or friends, cannot vote, or participate on the committee working on these.

It is the will of the council for Bernadine Chavez to request from Greg Trapp (CFB), a copy of the Conflict-of-Interest form and policy, to see if it can be adopted into the SRC. Topic will remain on the agenda and may be included as an action item on next quarterly meeting agenda.

F. Client satisfaction Survey and Needs Assessment Project

This year, that the SRC needs to complete a client satisfaction survey and needs assessment project. This project is spearheaded by the agency. However, the SRC is a part of the planning committee to ensure that the client satisfaction survey addresses the points of the council specifically interested in ensuring are surveyed.

Bernadine. SRC put together the questions and DVR put out the RFP and then interviewed the applications to decide who was wanted. The Goal is to find out what DVR is doing right and highlight that and how can DVR improve. Analyze strategies on negative comments, reviewing negative in a constructive manner. It is helpful to have a contractor for this, and the SRC to look at the survey and develop the questions. Goal is to have this done by the end of the next federal fiscal year.

Recommendation of putting together a committee to work on this. Recommendation for Keith Maes to participate as he is on the front line. Review the previous survey year's questions.

Yolanda Montoya- Chavez recommends having Ed Miller (evaluator) participate in the committee, as it ties into Workforce evaluation and statewide evaluation criteria. Paula Seanez volunteers to join committee. Dolores volunteers for committee. TJ Chester nominated to committee. Bernadine to send out copy of previous survey questions.

- G. NCSRC Update- Bernadine Chavez
CSAVR which is the trade organization for the VR directors is being held in the spring, and have invited the SRCS to join the VR agencies in the training. Spring training will be virtually, Fall is expected to be held in Savannah, Ga.

The coalition for the SRCs continues to do national calls every month. The next training is going to be led by Graham Sisson, board president. New material has been added on the National Coalition for the SRC website. New Jersey members are working on a handbook for NHDVR and in the process of reformatting it. Once completed and posted it will be something NMDVR SRC will review. Big announcement that they are requesting RSA to give extensions to the SRCs whenever somebody has an expired appointment. At this time, unsure what this would look like. If granted, this would allow people whose terms have expired the ability to serve for a bit longer because of COVID. Governors are not appointing people, so they want the SRC to continue with their mandates.

IX. Comments from Audience

Yolanda- DWS in partnership with the higher education department, state personnel and governor's office are launching "Restart New Mexico". This is going to be a marketing campaign that is targeted towards individuals who are unemployed due to the pandemic. There are over 100,000 people collecting unemployment at this time. They are prompting and encouraging people to take advantage of short-term certificate type program, micro credentialing, short term program so that they can start to scale up as the economy starts to open up. Part of the partnership with Higher Ed Dept. is using WIOA set aside funds These funds can be used for specific projects such as new certificate training programs with community colleges. Guidance is based on labor market information analysis in terms of the types of jobs that are coming up and types of training people need to have or skills that are required in order to step into those jobs. It will look similar to work-based learning or on-the-job training. Workforce is currently work on the RFP, to make the funds available. It is hard for higher ed dept, to setup these times of programs because it is not a degree program. Looking at stackable credentials. Restart NM will essentially be creating a virtual one-stop system. Someone could call and get connected to a Career Advisor, rather than going into a connection center. The connect center will be manned by career advisors statewide. Will be collecting quick eligibility assessment pieces, to determine eligibility for other services and do a warm hand off or make referrals. There will be a comprehensive marketing campaign- social media, television spots, billboards, the governor will be doing a press conference on this toward end of April. It's an opportunity for enrollment to increase, and individuals to make contact from the comfort of their home. This program is a way to get citizens connected and aware of the opportunities for training leading to employment and the agencies available to help.

Guy Surdi- Announces email address has changed to guysurdi@protonmail.com

Dan Drury- Announces communication methods email- dan.drury@state.nm.us and phone 505-589-8738

X. Information on Next Meeting

June 17, 2021 at 9am committee & 10am SRC Meeting
September 16, 2021
December 9, 2021- *Possibly In-person*

XI. Adjournment

12:57pm

Paula Seanez motions to adjourn ; Bernadine Chavez, Seconds

If you need a language translator or you are an individual with a disability who is in need of a reader, amplifier or any other form of auxiliary aid or service to participate in this meeting, please contact Diane Mourning Brown at the telephone number(s) listed below. Public documents, including the agenda or minutes can be provided in various accessible forms. For additional information, contact Diane Mourning Brown. Telephone numbers: 1-800-224-7005 or 505-954-8500.

(Note: the SRC attempts to follow the order of items listed on the agenda; however, it should be noted that the order of specific items is tentative and may vary from the date of the printed agenda.)