

State Rehabilitation Council

Quarterly Meeting

September 10, 2020

Virtual 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
TJ Chester
Yolanda Montoya-Cordova
Keith Maes
Paula Seanez
Guy Surdi

Members Absent:

Charles Hamlin
Sandy Sandoval
Lucinda Garcia

DWS Staff:

Cabinet Secretary Bill McCamley-Absent

DVR Staff:

Diane Mourning Brown, DVR Executive Director
Michael O'Brien, DVR Administrative Director
Eileen Marrujo, DVR ASU Deputy Director
Anna M. Vigil, DVR Independent Living Program Manager-Absent

All Others:

Michelle Bowdon- DVR Attorney
Linnea Forsythe
Joyce Tsosie
Jen Gelhardt- Best Buddies

II. Action Items

A. Approval of Agenda

Paula Seanez moved to approve agenda
Bernadine Chavez seconds
Unanimously approved

B. Approval of Minutes

Bernadine Chavez moved to approve minutes
Tracy Agiovlasis seconds
Unanimously approved

C. Approval of SRC Position re: DVR Public Hearings

Held

D. Approval of Bylaws update re: virtual meetings

Paula Seanez- Article X, No IV, defines meetings can be convened by teleconferencing or other electronic means that all open meetings act requirements for telephone meetings and video conferencing are otherwise met.

Tracy Agiovlasis moves to approve bylaws update re: virtual meetings

TJ Chester seconds

Motion passes with six (6) approvals and one (1) exemption

III. 121 Report – Paula Seanez

Federal RSA funded Tribal VR Programs who were ending on September 30, 2020, received funding for a 6th year. Typically funded on five (5) year grant cycles. This was due to the challenges that many tribes faced during the current pandemic; as many tribes were impacted by closures and some remain closed. All tribes will be competing and submitting for the grants for 2020-2021- Navajo and Jemez. Laguna and Acoma Pueblos have successfully submitted their grant applications. Currently the Pueblos of Laguna, Acoma and Jemez remain closed. Jemez VR and Navajo VR are meeting with client by appointment only (following CDC regulations). VR Programs in Laguna and Acoma can be contacted by phone. Navajo Nations is in Phase I, of opening. Some staff continue to telecommute or flex schedule. Navajo VR program cannot secure office space in Shiprock; program is negotiating a lease agreement in Farmington.

Joyce Tsosie is acting VR Program Director. Jemez is lacking a Program Manager and VR Counselor. Jemez VR, Project Hope for Youth, has been placed on hold. This is a program is a pilot internship project that helps prepare students with disabilities for integrated, competitively paid work. The project will be revisited in January 2021. For the meantime, Jemez VR continue to collaborate and hold interactive zoom meetings with NMDVR; the next monthly meeting is September 25, 2020). All Tribal VR programs work with Dr. Michael O'Brien to develop collaborative efforts in serving Native Americans with Disabilities in rural communities. Tribal VR programs continue to receive professional development, technical assistance and training from the American Indian Vocational Rehabilitation Training and Technical Assistance Program (AIVRTTC). AIVRATTAC at Northern Arizona University and Northwest Indian college (NWIC) have both been approved for a 6th year funding of their programs. They continue to review reminders and understanding of Travel VR. Travel VR continues with Arizona State AIVRATTAC. The Navajo OSERS director continues to serve as an advisor to the University of Montana on developing a self-employment tool kit.

IV. DVR Directors Reports

A. Agency Director - Diane Mourning Brown

Legislative Session (Finance Committee) FY 2021- October 28, 2020 at 2:30pm.

RSA Monitoring Conference- October 6th, 2020, exit conference following.

B. ASU Deputy Director – Eileen Marrujo

Submitted FY 2022 operation appropriation requested to DFA and LFC on September 1, 2020. DFA instructed a 5% reduction from FY 2021 base budget. Eileen Marrujo, Director Diane Mourning-Brown and Dr. O'Brien, met with DFA analyst, and explained concerns and impacts the 5% reduction would have over the proposed budget cut during the special session; the 4% budget reduction previously imposed on DVR. That 4% reduction was only applied to the rehabilitation service programs general fund. Rehabilitation services found that a 4% reduction equated to \$267,000 reduction in general fund. As a result of that meeting, DFA did not require DVR to impose a 4% reduction to RSU; RSU was held harmless and only instructed to apply a 5% reduction to Independent Living Program, who was held harmless for FY 2021. The 5% reduction submitted for the Independent Living Program was \$33,800. Hope to make that up with fund balance from FY 20 and FY 21. Overall, the entire budget is flat, with minimal increase in federal funds, with less than a 5% increase. Positions are being converted to STRM (sponsored term). Lost 7 positions; Requesting positions be recreated (for position lost- (2) Administrative, (2) VR Technicians/Admins, (2) Disability Adjudicators).

C. RSU Administrator – Michael O'Brien

Overall, everything is going well with the monitoring process. There have been three larger meetings, and one administrative meeting with RSA; 3-4 future meetings set to continue with the monitoring. RSA is monitoring program 2017, 2018 and parts of part 2019. The focus is on transition services, quality controls and performance measures, etc., during those program years. RSA is specifically looking at in greater detail to Pre-ETS associated with the schools. There is new requirement set out of the WIOA amendments (in 2014), specifically regarding services for youth. There are a number of issues they are raising in particular; in particular we are having to rewrite policy in regard to Transition and Pre-ETS, and number of areas and suggestions, in regard to performance related issues. FODs and Dr. O'Brien have already begun to work on these prior to RSA Monitoring. We have already created guidance for staff and made changes in the last several months; staff and RSA are responding well to adaptations. There will be MOP changes and Policy changes or guidance that we will have to create in which are what will be associated with the Public hearings in which we are discussing and holding in

October, and the SRC will be attending. There is not a list of all the potential changes that will be made to policy as, it is unknown what additional changes will come out of the public hearings, or until process is completed. We have been reviewing Pre-ETS and Transition stuff and making edits in response to RSA.

We were able to add six (6) fulltime Vocational Rehabilitation Counselors to Pre-ETS Services. All began work end of July or beginning of Aug. All have completed 1wk of rehab academy, completed background checks and have begun working with schools. The schools have been inviting the VRC to attend virtual meetings and IEPs. 3 weeks ago, Dr. O'Brien sent emails to every superintendent, school, principal, special ed director/teachers, etc., as part of that attached guidance from PED about allowing counselors in the schools and working with our counselors and working consistently with the schools. Also provide every principal, etc., with contact list for counselors who are assigned to their schools and who they should expect coming into the schools from DVR, from CREC. There have been an incredible response and positive feedback from the schools. Charlene has been attending meetings with schools across the states. Counselors are beginning to be heavily present in the schools (virtually) and already working with students. 30 Letters to counselors in the last few weeks have exceeded PRE-ETS performance measures in terms of partnership with the schools. In July, changes requirement for counselors to dedicate 15% of their time to engaging with the schools and working with students. Increasing amount of time to be able to be in the school. Pre-ETS work is improving. Due to budget cuts, we had to reduce CRC contract, meaning reduced CREC staff in the school; however DVR counselors will remain engaging and heavily in the schools Charlene has been in direct with the school, where there are some minor issues to overcome-larger schools.

QUESTION:

Bernadine- Did I hear correctly that you are not going to do the contract with the Rec #5 contract anymore?

ANSWER:

Michael O'Brien- That is incorrect. We had to reduce the contract. Meaning, that our contract was initially for \$2 million dollars, it has been reduced to a \$1 million dollar contract. In that, they are reducing the number of people that they will have in the school. But at the same time, we have increased the number of our counselors present in the schools and have increase the number of transition hours per pay-period didn't want to have to make that cut form program 8 hours to 12 hours. Some of that relates to \$1.7 million dollar lost due to budget this summer and we had to figure how to maintain the contract while not cutting in the program budget

QUESTION:

Bernadine- Is there any type of transition in place?

ANSWER:

Michael O'Brien: They will be fully staffed until December. About mid-year, they will reduce back to their 9 or 12 people who are working and going into the schools. In the overlap, we have increased the staff of our counselors in the school. In addition to that, we are increasing the transition hours from 8-12 per counselor per pay-period. So, with that by the time, we see those cuts backs with CREC, we will see a heavier presence of DVR staff in the schools. We are more than adequately increase the number of our staff and hopeful that we will be at or above last years performance level, by the end of the fiscal year.

QUESTION:

Yolanda- On the six (6) VR Counselors that you did hire are they statewide or where are they concentrated in certain areas?

ANSWER:

Michael O'Brien- They are actually concentrated in rural areas. In the urban areas, we have more than sufficient counselors. They have been assigned to Farmington, Taos, Clovis, Silver City, Las Cruces and Hobbs. Covering multiple schools in those areas.

QUESTION:

Yolanda-Does the performance metrics only include the number of students they have engaged in Pre-ETS in their area?

ANSWER:

Mike-There performance metrics is making sure the 5 mandatory performance measures are met, and referrals are made for DVR services; and engagement with the students. We are keeping track of the number of students they are serving, number of services provided, and outcomes/performance of those services provided.

SUGGESTION: invitation to Charlene Chavez-to provide a summary on Transition and Transition Services outcomes on next quarterly meeting

Order of Selection- Michael O'Brien

There are two components that are important the first is that is the initial reason for public hears to occur. When we went into order of select, prior to Diane and I came on board, it seems that the previous administration may have missed some steps in the process of order of selection. It is important to have order of select and required to uphold order of selection and what we are doing as an organization. We have put in place in July and order of select plan. End of June we were about to take 300 people off the wait list. We have planned to take off an additional 300 clients off the waitlist and again in January. In July we were actually about to taken off 638 people off the wait list between June and July. As of right now wait list is current at 750. As part of plan, we have made an order of selection tracker, is helping us to keep track of what is happening with the participant plans, have we made contact, does client want services, have they been scheduled for meeting, have they been scheduled for plan. If no, then we list the ways we attempt to track and communicate with then, if approached if they want or decline services. If we know people are coming off the waitlist, we need to know where they are in the process. If we know that cases are being closed, then we know that there is a group of people in which money is not being spent.

QUESTION:

TJ- What is the length of time in which someone is on the waitlist and removed from the waitlist?

ANSWER:

Mike- So far they have been on the waitlist for 1 year.

Are you taking them off the waitlist based on order of selection?

Dr. Michael O'Brien-They come off the waitlist based on the date they went on the waitlist. We estimate how many people we want to come off the waitlist. We are removing people off the waitlist based on date they went on, and also the category they are in. For example, we removed 300 people off the waitlist in June, those are based on the dates and category two. At this point anyone that is on category 3 has not be removed of the list. As we remember, anyone who has been placed on the waitlist, we are to make referrals for them including to Workforce, so that they can help the participant in the meantime. The OOS tracker has allowed us to track this and estimate the cost per participant when engaging in services. This allows us to make budgetary decisions. This in turn helps us to decide how many people can come off the waitlist. All counselors have a caseload of 160; this has caused a personnel issue. So, we cannot take people of the waitlist, until caseloads decrease and participants have been released. We have received approval for 12 additional positions. Once they are trained and engaged in the position, we are hoping this will bring down the caseloads, allowing us to pull more people off the waitlist. We have requested an additional 3 positions through the state personnel office; however, it is a length process to get them to approve us, advertise and higher people. Our hope that those positions are hired by December so we can reevaluate the caseloads and waitlist. Some areas have had a dramatic influx of participant applications. We have asked other areas to help those areas where the increase are.

Additionally, we have created a committed that is committed to provided increase provider for job coaching, CRC services and employment opportunities. Specifically focusing in rural areas. They are working diligently to build partnership with those who want to become providers or contractors.

Needs from SRC in regard to the publics hearings: 1) cohosting and being present during public hearing as a full partner. Whereas public will see the partnership 2) have the SRC provide a comment on any policy that comes forward; provide individual or SRC that provide written comment on policy and order of selection 3) Ability to consult with RSA

Motion to assign to approve the SRC assigning executive committed to appoint to coordinate information on the public hearing and ensuring the SRC involvement in this process.

Paul Seanez- moves to approve motion, Guy Surdi-Second

Motion Passes Unanimously

D. DDS Administrator – Charles Hamlin

In regard to the staffing plan currently are: 105 FTE, 86 Staff members, 19 Medical Consultants, 19 Total vacancies (expected to be filled by 09/2021). In FY 20 the NM DDS filled 35 positions, all Federally Funded. In FY 21, the NMDDS has been given NMDVR to create additional FTEs (up to 200) and fill position; Administrative supports will increase. NM DDS is working closely with NMDDS to create additional FTEs and fill positions.

April 2020, NM DDS successfully transitioned most staff to a complete telework environment. Following SSA, the NM DDS are prioritizing workloads to align with SSA directives. SSA has provided 100% of telework equipment to staff, including computers and cellphones. Currently NM DDS, remains closed to the public, but has little impact on the clients, workload or customer service. NM DDS is cautiously following the SSA direction during the current circumstances around the pandemic.

To-date NM DDS total receipts 28,521 (down 4% from FY19); Total Clearances 18,319; Initial Claim Dispositions 12, 642 (92.4% of annual goal completed); Reconsideration Claim Dispositions 915 (87.9% of annual goal completed)- March 2020, SSA directed state DDS's to hold all adverse actions on Continuing Disability review due to COVID. Sept 2020, SSA has revised their directive; Pre-hearing Claim Dispositions 298; Hearings, 205-SSA directed all DDS to cease action on all Hearing level claims from March to September 2020 (hearing pending); Production Per Work Year, budgeted at 304. FY20 Cumulative Performance 246.1, therefore goal is not currently being met. However, compared to the national average of 252.7, we are performing on pace with national level. Initial Combined Title II and Title XVI Mean Processing Time budgeted at 113 days. FFY20 Performance of 105.1 days, therefore goal is being met. The NM DDS continues to be one of the region's top performers in quality. Year to date accuracy is 96.3%. NM DDS had the 2nd highest accuracy in the region. Regional performance accuracy was 92.5%. National rate was 93.9%. The NM DDS initial allowance rate year to date is 38.0%, ahead regional averages.

Despite challenges in FY20, the NM DDS continues to do well when measured against the performance measures over which it has control; i.e., quality, cost effectiveness and production. This is in large part due to the dedication and hard work the NM DDS staff and contractors do on behalf of their clients/claimants.

V. SRC Chairperson's Report – Sarah Michaud

Have been in constant communication with DVR. Invited and accepted to participate in the RSA audit conference and exist conference; representing SRC. DVR conducted series public hearings in regard to recommended changes on the NMMAC regarding fair hearing & mediation and provided feedback regarding the language of fair hearings. Update on procedures to the NMMAC to what is actually happening. Reviewing annual report, plans thought regarding were SRC is going and what is needed to do, preparing that for the RSA and governor's office. Continuing to monitor COVID situation and sharing input in regard to it, on weekly access call. Have participating in the Disability Collation regarding on what they are proposing on Disability awareness Day for next year.

VI. Committee Reports

A. Legislative and Outreach Committee – Bernadine Chavez

October 28,2020 at 2:30pm, there will be a legislative finance hearing; Diane is the last person on the agenda. Going to make sure that people from the SRC attend in support of the agency. Last year, Sarah wrote a letter that illustrated position about DVR and support of DVR; it was recommended that probably another letter go to the legislative finance so to discourage further budget cuts from the department. Letter should include some visuals (as it may be helpful to illustrate the potential impacts). Dr. O'Brien is going to provided information on: the return on investment, how much does an average cost of a case, what is the average cost of a case and then what happens when that person goes to work and what's that return on investment. Other visuals suggested illustrate: if the budgets cut-here's how much we'll lose federal funds, and we need to maybe do a brief explanation of maintenance of effort, penalty and how that cost the state money, and how this has a huge impact on people with disabilities that need to get back to work. Sarah will draft another letter for submission along side of the visuals.

B. Membership, Training and Awards Committee – Tracy Agiovlasis

There are three people have remained interested. Contact has been made with Melissa at the governor's office; she did share forms needed to expedite those people. One issue- Melissa had one file that conjoined the Commission for the blind SRC, and DVR SRC. Team was able to provide clarification, as committee continued to reach out to individuals who are interested in participating. There are nine slots, still needed- would like a SILC member, NMPED member, business/industry and labor, and person involved with state education. Hope is to gather information and interested people at once and submit to Melissa as one group and expedite information.

Committee would like to provide a packet of information to any new members as a starting point. Suggested packet of information to include: Copy of the MOP, acronym chart, organizational chart, rule of the SRC, list of 121 programs, a list of all the VR locations, any other suggestions of things that would able to reference. So, that they understand what their role is and DVR. Training will have two components (referenced NC SCR) on the roles of SRCs; interspersing those in quarterly meetings. Pending conversation with Dr. O'Brien regarding offering an overview training within DVR for the SRC members (especially for labor & business industry).

Award were to be done in the Spring. Committee would like to have SRC awards at a different time, as DVR had their awards at the same time; to highlight awards are coming from SRC.

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

Transitions (Pre-ETS) has been a hot topic in every meeting, especially through COVID-19 pandemic. There have been several of Pre-ETS students that weren't getting the services, things had been in limbo due to the circumstances. Big thanks to Dr. O'Brien for being proactive and reaching out to the different school districts; and making sure that this program is brought to the attention of the superintendents in each school district. These are individuals who need DVR services (in order to make successful transition with life, employment, etc.)

Yolanda: In terms of transition, department will hosting four (virtual) youth summit; for all providers in all agencies that work with youth around workforce strategy, career readiness, career exploration and being able to share some of the tools and resources available. Summit will be held over a period of time; currently in the stages of finalizing paperwork and setting dates. The point is to be able to share it with core partners or agencies that are part of the state plan.

Another statewide event recently held- "Mock it, til You Rock it", where mock interviews were held and creating a link to those working in the schools can engage with the business community. So that a connection was built with the business community to schools and help with young people have a mock interview, especially for our seniors before they leave high school. It's an opportunity for them to practice and gain some skills. Received great feedback regarding event. Some of the schools that were able to get those mock interviews setup and completed in March (per COVID); due to pandemic the event did have to stop. Some of the schools had it setup all the way into May. Hope to be kicking that off again, as DVR is there connecting with counselors and schools. Connecting with all of the school districts as well, letting them know that our resources are available; an making our partners aware that we are present as well, having tools and resources readily available regardless of population serving. Invitations will be going out soon. WIOA funded Native American Sites are apart of the emailing list.

TJ- Would like Dr. O'Brien to keep updating in regard to school engagement and response.

Considering Covid-19 Pandemic (new reality), we should now be considering our goals for FY 2021 as to how SRC will be moving forward.

- 1) Pre-ETS remains on the table and schools are informed, resulting in services being delivered successful
- 2) DVR to move out of order of selection, serving everyone who is eligible for services.
- 3) Co-locations- making sure that they fully accessible to the widest range of disabilities; including emphasis on cultural competencies, co-locations becoming inclusive, adaptive and engaging.
- 4) Strategic planning meetings
- 5) Monitoring DVR FY 2021 community surveys
- 6) Workforce would like to have one case management system that goes across all four-core partner.
- 7) Increase of cross-training
- 8) ADA certified coordinators within each agency

VII. Old Business

None

VIII. New Business

A. DVR Public Hearings and SRC Involvement

a. Order of Selection

b. MOP – response to RSA guidance

B. Annual Report for SRC

Due to COVID committed elected to carry over goals from 2019 over into 2020. Unable to complete SWAT analysis. specific areas the SRC needs to provide specific guidance to DVR in the new year-

1) Recommend and Request from DVR support in putting together a section or a page in regard to the impacts of COVID. Requirements to move all programs to telework or virtual meetings, employer impacts, increase of cost of services, etc.

- DVR has agreed to do a page

2) Yolanda to draft a page on the progress of the state plan

3) Recognition of business who works well with people with disabilities.

4) Request for quote from each council member about SRC and the impact it's had on you, your feelings on it. Send to Sarah so she can include it on this upcoming 2020 annual report. Please send all your statements to Sarah for your quotes. By November 1. This report has to be finalized by December 31, and this will give Sarah, some time to get it into her templates in place and send up the rest of the council preview before it's submitted, actually.

5) Success stories

C. NCSRC Update – Bernadine Chavez

Board meeting has been rescheduled. NSCRC conference has been cancelled; possible virtual meeting (unsure if there will be a cost).

IX. Comments from Audience

None

X. Information on Next Meeting

December 1st, 2020 at 10am committee & 11am SRC Meeting

XI. Adjournment

1:58pm

Paula Seanz- Moved ; Bernandine 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.)