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“Futures” Discussion Update: Green Light Issues

A Future of Vocational Rehabilitation

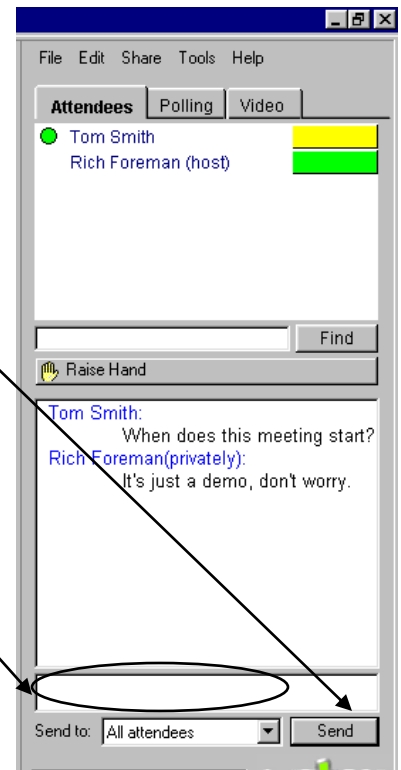
Strategic Dialogue Update

June 12, 2007

Tools You Can Use

Using chat to ask questions during the presentation:

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What are we going to do today?

- Provide update on Future of VR activities to date
- Provide review of priority issue analysis
- Make recommendations for issue to advance in the Future of VR process



Webinar Presenters

- Carl Suter, CSAVR
- Brad Turner-Little, Easter Seals
- Charlene Dwyer, Wisconsin VR



***Future's* February 2006 Meeting: Green Light Issues Emerge**

Top 10 of 21 issues for continued discussion
identified by group rankings

- Identified as Green Light (moving forward now)

Discussion Groups formed to further explore these
10 issues

- Created 2 subgroups to discuss 5 issues each



Post-Future's Conference Discussion Group I – the deliberators

- Bob Burns, Maryland VR
- Catriona Johnson, National Disability Rights Network
- Rita Martin, CSAVR
- “Butch” McMillan, Mississippi VR
- Susan Prokop, Paralyzed Veterans of America
- Peggy Rosser, Georgia VR
- Brad Turner-Little, Easter Seals
- Linda Winslow, National Rehabilitation Association



Post-Future's Conference Discussion Group II – the deliberators

- Charlene Dwyer, Wisconsin VR
- Paul Dziedzic, Futures discussion facilitator
- Charlie Harles, Inter-National Association of Business, Industry & Rehabilitation (INABR)
- Gil Johnson, American Foundation for the Blind
- Patricia Leahy, National Rehabilitation Association
- Celane McWorter, APSE the Network on Employment
- Carl Suter, CSAVR
- Stephaine Taylor, Oregon VR
- Julie Ward, The Arc and UCP Disability Policy Collaboration
- Kathy West Evans, CSAVR



Post-Future's Conference Discussion Group II – Discussion Contributors

- Cheryl Bates-Harris National Disability Rights Network (NDRN)
- Rita Martin, CSAVR
- Linda Winslow, National Rehabilitation Association
- Susan Prokop, Paralyzed Veterans Association



Discussion Group I



Group I: Initial 5 Issues

- How can VR improve & expand partnerships?
- Can/should VR provide cash/vouchers to consumers to purchase services that have been approved under an IPE?
- How is accountability assured under this system?
- How can the VR system help consumers secure employment quickly & effectively?
- Should VR develop customized services to expedite the process for individuals who need immediate employment?

Group I: Rethinking of the 5

- How can VR improve & expand **partnerships**?
- Can/should VR provide **cash/vouchers** to consumers to purchase services that have been approved under an IPE?
 - How is accountability assured under this system?
- How can the VR system help consumers **secure employment quickly & effectively**?
 - Should VR develop customized services to expedite the process for individuals who need immediate employment?

Group I: Evaluation process

- Developed evaluative matrix
 - Established common fields to assess each issue
- Criteria
 - Resources available to support the issue
 - Authority to implement
 - Level of Future's Meeting priority
 - Positive impact on system
 - Positive impact on consumers
 - Commonality of understanding and consensus for support
 - Cage rattling factor

Applying the matrix

Criteria	Partnership	Consumer Controlled Resource	Secure Employment Quickly & Effectively	Expedited Services
Resources	Responding from the perspective of what can others do that we cannot/do not; partner perspective is often what are you going to give me	Alternate use for current resources	Volume of requests on the VR system; work load management issues; demands on process; system capacity	
Authority	integration of Independent Living into employment as example of statutory relationship; realities of little used or know about MOUs; varying degrees of expectations	Some flexibility to do so now; state laws vary on what can be done; possible use of I&E authority	within the law and a state agency's purview - issue comes from differences in application; mixed messages around definition of most significantly disabled (multiple services over extended period of time). Focus on customization for individuals	Eligibility program, not universal access, so must go thru certain processes to determine eligibility
Priority level	High	Low	High	low
Positive impact, system	Increased activity with Veterans related agencies; evaluating functionality of current partnerships	Burden on system to track; changes to current state agency staffing structures; cost impact could be positive or negative.	Issues of increasing system "nimbleness" - increase staff and system understanding and capacity; continuous improvement measure.	No credit giving mechanism for this activity under current matrix
Positive impact, consumer	Increased activity for veterans	Increased consumer control; alignment with other disability policy; informed choice -> consumer control	increased nimbleness results in increased likelihood in achieving results for both individuals and business customers.	
Commonality	Yes	Lack of common language or understanding of what vouchers/credit cards, etc..., might mean.	What does "quickly" and "quickly and effectively" mean - e.g., college experience??	yes
Cage rattling factor	Low	Medium, as some states are doing it now	High	
What kinds of information are needed to make our decision?	Which formal partnerships exist now that work and why?	What systems are working now? What are models outside of VR (CMS, Food Stamps)? How does the state deal with fiduciary responsibilities? What are the potential impacts on state agency staff? What learning has occurred from Katrina abuses?	Models of responsiveness to business customer while retaining individual customization focus.; clear differentiation from One-Stop System	Group decided this to be a subset of the broader conversation under "Employment quickly & effectively"; connections to the One-Stop system might facilitate this need



Group I: Partnership Discussion

Resources

- What can others do that we cannot/do not
- What are you going to give me

Authority

- Statutory relationships
- Varying degrees of expectations

Priority Level

- High



Group I: Partnership Discussion

Positive Impact, System

- Increased activity with targeted groups
- Evaluating functionality of current partnerships

Positive Impact, Consumers

- Increased options

Commonality

- Yes

Cage Rattling

- Low

Group I: Consumer Controlled Resources

Resources

- Alternate use for current resource

Authority

- Flexibility to do now exists; state law variances; possible use of I&E authority

Priority Level

- Low

Group I: Consumer Controlled Resources

Positive Impact, System

- Burden on system to track
- cost impact could be positive or negative

Positive Impact, Consumers

- Increased consumer control
- Alignment with other disability policy

Commonality

- Lack of common language or understanding of concept or model

Cage Rattling

- Medium
- Some states are doing now

Group I: Secure Employment Q&E

Resources

- System capacity stretched
- Demands on process, work load management

Authority

- Within the law & agency purview
 - Issues relate to implementation
- Mixed messages around most significantly disabled

Priority Level

- High



Group I: Secure Employment Q&E

Positive Impact, System

- Issues of increasing system nimbleness
- Increase & system understanding and capacity

Positive Impact, Consumers

- Increased likelihood in achieving results for both individuals & business customers

Commonality

- Need to define “quickly & effectively”

Cage Rattling

- High




Group I: Recommendation

- Secure Employment Quickly & Effectively emerged as leading issue for advancement
 - Other 2 can be explored within its parameters




Discussion Group II



Future's February 2006 meeting

A “Green light” issue emerges

- If VR maintains an Order of Selection (OOS):
 - Should it look more similar from state to state?
 - Should there be a national definition of “most significant disability”?
 - Should VR agencies be allowed to provide no-cost services to individuals who are not on a priority list to be served, under an OOS?



Future's February 2006 meeting

A “Yellow light” issue emerges

- Other than through the construct of OOS, how can the VR system continue to serve the wide range of eligible individuals with disabilities, given the scarcity of resources?
 - Should the SSI/SSDI and “transition” age youth be given a priority status?



Q: Why is a definition of “most significant disability” of consequence?

- A. Limited VR program resources and OOS wait list impacts

- B. Consistency in the National VR program



Significant Disability, as defined in regulation

34 CFR 361.5(b)(31) Individual with a significant disability means an individual with a disability--

- (i) Who has a severe physical or mental impairment that seriously limits one or more functional capacities . . . in terms of an employment outcome;
- (ii) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
- (iii) Who has one or more physical or mental disabilities resulting from . . . (a list of disability conditions) . . . or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation.



“Significant Disability” quantitatively restated

1. Number of disability-related conditions causing substantial functional limitations related to employment (at least 1)
2. Number of required VR services (“multiple” = 2 or more)
3. Duration of the VR service plan (“extended period of time”)



Most Significant Disability as currently defined in regulation

34 CFR 361.5(b)(30) Individual with a most significant disability means an individual with a significant disability who meets the designated State unit's criteria for an individual with a most significant disability....

The criteria for defining an individual with a “most significant disability” must be consistent with the requirements for:


1. Establishing an order of selection (OOS)
2. A refinement of the three criteria in the definition of “individual with a significant disability”

A: Why a ***national*** definition of
“most significant disability”
is of consequence

OOS Implications for VR program service:

(34 CFR 361.36 (3) (A))

“ . . . If the designated State unit is unable to provide the full range vocational rehabilitation services to all eligible individuals in the State who apply for the services, . . . individuals with the ***most significant disabilities*** will be selected first for the provision of vocational rehabilitation services . . . ”



A: Why a *national* definition of “*most significant disability*” is of consequence

By May 2006, 40 (50%) of the 80 State VR agencies had individually defined “most significant disability” as a requirement for establishing an Order of Selection:

- 21 of the 32 combined VR agencies (66%)
- 14 of the 24 general VR agencies (58%)
- 5 of the 24 agencies serving blind individuals (21%)

A: Why a *national* definition of “*most significant disability*” is of consequence

The Wisconsin “worst case scenario” OOS wait list experience for IPE development

- April 2005, ALL new applicants waited a year, or longer
- June 2005, monthly average for OOS wait list = 13,706
- July 1, 2005, wait list activations began after ↑ state match

- No wait: October 1, 2005 “Most Significant Disability”
- No wait: October 1, 2006 “Significant Disability”
- ≤ 1month wait: February 1, 2007 “Non-significant Disability”



The “green light” discussions begin...

Futures Meeting - September 2006 Interactive Panel

Massachusetts' Perspective VR Commissioner Elmer Bartels

The current (OOS) criteria . . . seem to be the best basis for defining significance of disability. However, a more flexible OOS policy should permit states the authority to prioritize well defined populations within classes selected.

Such authority should require a complete description of the defined class, the reasons for the prioritization of the class and the support of the priority classification by the Rehabilitation Council.



Futures September 2006

Interactive Panel perspectives

Futures meeting responses to the Massachusetts'
perspective

- ***Yes, consideration should be given to a national definition for “most” significant disability to increase national program consistency and portability of services.***



Futures September 2006

Interactive Panel perspectives

Futures meeting responses to the Massachusetts'
perspective

- ***Yes, a VR program should be allowed to classify and prioritize certain well-defined populations.***



Futures September 2006

Interactive Panel perspectives

Futures meeting responses to the Massachusetts' perspective

- ***Perhaps VR consumers who are also SSI and SSDI beneficiaries should be reclassified, in regulation, as “most significantly disabled” rather than “significantly disabled”.***



Futures September 2006

Interactive Panel perspectives

Futures meeting responses to the Massachusetts' perspective

- ***Perhaps Youth-in-transition from High School comprise a “well defined population” that could be placed by a VR agency into a “significantly or most significantly disabled” classification.***




Futures September 2006

Interactive Panel perspectives

Futures meeting responses to the Massachusetts perspective

- ***Perhaps all three groups should be identified as “most significantly disabled”, by regulatory definition, to achieve a priority status for VR services.***




Post-Futures Conference

Discussion Group II – Progress to date

Discussion Group decided to assess the national consistency of definition for “most significant disability” among 40 OOS agencies.

CSAVR January 2007 Survey of VR Agencies in an “Order of Selection”



Post-Futures Conference

Discussion Group II – Progress to date

5 Descriptive questions sent to 40 OOS Agencies

1. How many categories do you utilize?
2. How do you define the categories - MSD 3 functional limitations
3. How many of them are open?
4. Do you have a waiting list and for which categories?
5. Should VR agencies be allowed to provide “no-cost/low-cost? Services to individuals who are not on a priority list to be served under Order of Selection.
(Note: Discussion Group decided to focus first on survey results relative to MSD definition)

CSAVR OOS Survey Highlights

How many categories do you utilize? (28 respondents)

- Range 2 to 6 categories
- All had a MSD, SD
- Most common number of OOS categories
 - 3 categories (18)
 - 4 categories (6)

■ Observation

3-4 categories seems to be a fairly consistent national OOS category practice

CSAVR OOS Survey Highlights

How do you define the categories?

(N=23 respondents)

- MSD = 4 functional limitations (N=3)
- MSD = 3 functional limitations (N=12)
- MSD = 2 functional limitations (N=8)



Group II Observations: How VR Programs define OOS categories

- Most VR Programs simply count the number of functional limitations to determine category placement
- Some also rated the severity of the functional limitations
- Some added “3 or more services required” as an additional condition



Group II Observations: How VR Programs define OOS categories

- VR programs seem to be “learning and sharing through experience” what works and doesn’t work for managing an OOS
- There is national **inconsistency** in OOS category definitions and practices



Group II Observations:

How VR Programs define OOS categories

- Since establishing an OOS, some VR programs have revamped their OOS categories and their rating practices, or are considering doing so

- Example: Oregon currently has three OOS rating considerations
 1. Number of limitations
 2. Number of services needed
 3. Duration of services

- Oregon has discussed a possible fourth consideration:
 4. Effort/Investment impacting employment readiness that has been made to date and potential for losing ground on prior investment without VR services. (e.g., transitioning youth)

CSAVR OOS Survey Highlights

How many of them are open? (28 respondents)

Range 0 – 5

- 2 state VR programs had 0 categories open
- 9 state VR programs had 1 category open
- 7 state VR programs had 2 categories open
- 6 state VR programs had 3 categories open
- 3 state VR programs had 4 categories open
- 1 state VR program had 5 categories open

CSAVR OOS Survey Highlights

Do you have a waiting list and for which categories?
(28 respondents)

- 9 state agencies had no waiting list
- **19 state agencies had a waiting list in 1-3 categories**

■ Observation

Based on the survey results ***at least*** 1/4th of the 80 VR programs were in an active OOS and had a wait list for services as of January 2007



Group II: Recommendations

- There is too much variability in the national VR program OOS category descriptions and determinations.
- The Future's partnership should pursue the discussion around a regulatory definition for “most significant disabilities” to increase national consistency in OOS practice and reporting.



Group II: Recommendations

- In addition to SSI and SSDI beneficiaries, other well-defined populations may need to be considered as a MSD or SD priority group for VR services.
- One such group, transition age youth with disabilities who are getting ready to age-out of education should be identified as an MSD or SD priority group for VR services.



Consortium of Citizens with Disabilities ad hoc workgroup on OOS

- After reviewing the OOS categories and placement rating practices of several states, finds that there is too much variability in VR Program OOS categories and placement practices.
- Believes that there should be a definition of “most significant disability”
- Has not come to agreement on what a MSD definition should be.
- Considering an “expert group” process for definition building that could evolve to a regulatory definition.

Next Step

Futures Discussion Workgroup I will propose by September 2007:

- Definitions for “quickly and effectively” for further consideration
 - Including models of responsiveness to business customers while retaining individual customer focus

Next Step

Futures Discussion Workgroups II will propose by September 2007:

- A definition of “most significant disability” for further consideration
 - The definition may also consider how to address “well defined populations” for the purpose of “presumed eligibility” as a person with a MSD and/or SD



Thank you for your participation!