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# State Plan for the State Vocational Rehabilitation Services Program and State Plan Supplement for the State Supported Employment Services Program : Fiscal Year 2010

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# State Plan for the State Vocational Rehabilitation Services Program and State Plan Supplement for the State Supported Employment Services Program

## Maine State Plan for Fiscal Year 2010 (submitted FY 2009)

### Section 1: State Certifications

1.1 The (enter the name of designated state agency or designated state unit below). **Department of Labor** is authorized to submit this State Plan under Title I of the Rehabilitation Act of 1973, as amended and its supplement under Title VI, Part B, of the Rehabilitation Act

1.2 As a condition for the receipt of federal funds under Title I, Part B, of the Rehabilitation Act for the provision of vocational rehabilitation services, the **Department of Labor** agrees to operate and administer the State Vocational Rehabilitation Services Program in accordance with the provisions of this State Plan, the Rehabilitation Act, and all applicable regulations, policies and procedures established by the secretary. Funds made available under Section 111 of the Rehabilitation Act are used solely for the provision of vocational rehabilitation services under Title I of the Rehabilitation Act and the administration of the State Plan for the vocational rehabilitation services program.

1.3 As a condition for the receipt of federal funds under Title VI, Part B, of the Rehabilitation Act for supported employment services, the designated state agency agrees to operate and administer the State Supported Employment Services Program in accordance with the provisions of the supplement to this State Plan, the Rehabilitation Act and all applicable regulations<sup>1</sup>, policies and procedures established by the secretary. Funds made available under Title VI, Part B, are used solely for the provision of supported employment services and the administration of the supplement to the Title I State Plan.

**YES**

1.4 The designated state agency and/or the designated state unit has the authority under state law to perform the functions of the state regarding this State Plan and its supplement.

**YES**

1.5 The state legally may carry out each provision of the State Plan and its supplement.

**YES**

1.6 All provisions of the State Plan and its supplement are consistent with state law.

**YES**

1.7 The **Commissioner** has the authority under state law to receive, hold and disburse federal funds made available under this State Plan and its supplement.

1.8 The **Commissioner** has the authority to submit this State Plan for vocational rehabilitation services and the State Plan supplement for supported employment services.

**YES**

1.9 The agency that submits this State Plan and its supplement has adopted or otherwise formally approved the plan and its supplement.

**YES**

Signed **YES**

\_\_\_\_\_

Name of Signatory **Laura A Fortman**  
Title of Signatory **Commissioner, Maine Department of Labor**  
Date Signed (mm/dd/yyyy) 6/29/2009

## **Section 2: Public Comment on State Plan Policies and Procedures**

2.1 Public participation requirements. (Section 101(a)(16)(A) of the Rehabilitation Act; 34 CFR 361.10(d), .20(a), (b), (d); and 363.11(g)(9))

(a) Conduct of public meetings.

The designated state agency, prior to the adoption of any substantive policies or procedures governing the provision of vocational rehabilitation services under the State Plan and supported employment services under the supplement to the State Plan, including making any substantive amendments to the policies and procedures, conducts public meetings throughout the state to provide the public, including individuals with disabilities, an opportunity to comment on the policies or procedures.

(b) Notice requirements.

The designated state agency, prior to conducting the public meetings, provides appropriate and sufficient notice throughout the state of the meetings in accordance with state law governing public meetings or, in the absence of state law governing public meetings, procedures developed by the state agency in consultation with the State Rehabilitation Council, if the agency has a council.

(c) Special consultation requirements.

The state agency actively consults with the director of the Client Assistance Program, the State Rehabilitation Council, if the agency has a council and, as appropriate, Indian tribes, tribal organizations and native Hawaiian organizations on its policies and procedures governing the provision of vocational rehabilitation services under the State Plan and supported employment services under the supplement to the State Plan.

## **Section 3: Submission of the State Plan and its Supplement**

3.1 Submission and revisions of the State Plan and its supplement. (Sections 101(a)(1), (23) and 625(a)(1) of the Rehabilitation Act; Section 501 of the Workforce Investment Act; 34 CFR 76.140; 361.10(e), (f), and (g); and 363.10)

(a) The state submits to the commissioner of the Rehabilitation Services Administration the State Plan and its supplement on the same date that the state submits either a State Plan under Section 112 of the Workforce Investment Act of 1998 or a state unified plan under Section 501 of that Rehabilitation Act.

(b) The state submits only those policies, procedures or descriptions required under this State Plan and its supplement that have not been previously submitted to and approved by the commissioner.

(c) The state submits to the commissioner, at such time and in such manner as the commissioner determines to be appropriate, reports containing annual updates of the information relating to the:

- comprehensive system of personnel development;
- assessments, estimates, goals and priorities, and reports of progress;

- innovation and expansion activities; and
- other updates of information required under Title I, Part B, or Title VI, Part B, of the Rehabilitation Act that are requested by the commissioner.

(d) The State Plan and its supplement are in effect subject to the submission of modifications the state determines to be necessary or the commissioner requires based on a change in state policy, a change in federal law, including regulations, an interpretation of the Rehabilitation Act by a federal court or the highest court of the state, or a finding by the commissioner of state noncompliance with the requirements of the Rehabilitation Act, 34 CFR 361 or 34 CFR 363.

3.2 Supported Employment State Plan supplement. (Sections 101(a)(22) and 625(a) of the Rehabilitation Act; 34 CFR 361.34 and 363.10)

(a) The state has an acceptable plan for carrying out Part B, of Title VI of the Rehabilitation Act that provides for the use of funds under that part to supplement funds made available under Part B, of Title I of the Rehabilitation Act for the cost of services leading to supported employment.

(b) The Supported Employment State Plan, including any needed annual revisions, is submitted as a supplement to the State Plan.

## Section 4: Administration of the State Plan

4.1 Designated state agency and designated state unit. (Section 101(a)(2) of the Rehabilitation Act; 34 CFR 361.13(a) and (b))

(a) Designated state agency.

(1) There is a state agency designated as the sole state agency to administer the State Plan or to supervise its administration in a political subdivision of the state by a sole local agency.

(2) The designated state agency is:

(A) a state agency that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities; or

**NO**

(B) a state agency that is not primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and includes a vocational rehabilitation unit as provided in paragraph (b) of this section.

**YES**

(3) In American Samoa, the designated state agency is the governor.

(b) Designated state unit.

(1) If the designated state agency is not primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities, in accordance with subparagraph 4.1(a)(2)(B) of this section, the state agency includes a vocational rehabilitation bureau, division or unit that:

(A) is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and is responsible for the administration

of the designated state agency's vocational rehabilitation program under the State Plan;

(B) has a full-time director;

(C) has a staff, at least 90 percent of whom are employed full-time on the rehabilitation work of the organizational unit; and

(D) is located at an organizational level and has an organizational status within the designated state agency comparable to that of other major organizational units of the designated state agency.

(2) The name of the designated state vocational rehabilitation unit is the **Division of Vocational Rehabilitation**

4.2 State independent commission or State Rehabilitation Council. (Sections 101(a)(21) and 105 of the Rehabilitation Act; 34 CFR 361.16 and .17)

The State Plan must contain one of the following assurances.

(a) The designated state agency is an independent state commission that: NO

(1) is responsible under state law for operating or overseeing the operation of the vocational rehabilitation program in the state and is primarily concerned with the vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities in accordance with subparagraph 4.1(a)(2)(A) of this section.

(2) is consumer controlled by persons who:

(A) are individuals with physical or mental impairments that substantially limit major life activities; and

(B) represent individuals with a broad range of disabilities, unless the designated state unit under the direction of the commission is the state agency for individuals who are blind;

(3) includes family members, advocates or other representatives of individuals with mental impairments; and

(4) undertakes the functions set forth in Section 105(c)(4) of the Rehabilitation Act and 34 CFR 361.17(h)(4).

or

(b) The state has established a State Rehabilitation Council that meets the criteria set forth in Section 105 of the Rehabilitation Act, 34 CFR 361.17 and the designated state unit:

**YES**

(1) jointly with the State Rehabilitation Council develops, agrees to and reviews annually state goals and priorities and jointly submits to the commissioner annual reports of progress in accordance with the provisions of Section 101(a)(15) of the Rehabilitation Act, 34 CFR 361.29 and subsection 4.11 of this State Plan;

(2) regularly consults with the State Rehabilitation Council regarding the development, implementation and revision of state policies and procedures of general applicability pertaining to the provision of vocational rehabilitation services;

(3) includes in the State Plan and in any revision to the State Plan a summary of input provided by the State Rehabilitation Council, including recommendations from the annual report of the council described in Section 105(c)(5) of the Rehabilitation Act and 34 CFR 361.17(h)(5), the review and analysis of consumer satisfaction described in Section 105(c)(4) of the Rehabilitation Act and 34 CFR 361.17(h)(4), and other reports prepared by the council and the response of the designated state unit to the input and recommendations, including explanations for rejecting any input or recommendation; and

(4) transmits to the council:

- (A) all plans, reports and other information required under 34 CFR 361 to be submitted to the commissioner;
  - (B) all policies and information on all practices and procedures of general applicability provided to or used by rehabilitation personnel in carrying out this State Plan and its supplement; and
  - (C) copies of due process hearing decisions issued under 34 CFR 361.57, which are transmitted in such a manner as to ensure that the identity of the participants in the hearings is kept confidential.
- (c) If the designated state unit has a State Rehabilitation Council, Attachment 4.2(c) provides a summary of the input provided by the council consistent with the provisions identified in subparagraph (b)(3) of this section; the response of the designated state unit to the input and recommendations; and, explanations for the rejection of any input or any recommendation.
- 4.3 Consultations regarding the administration of the State Plan. (Section 101(a)(16)(B) of the Rehabilitation Act; 34 CFR 361.21)

The designated state agency takes into account, in connection with matters of general policy arising in the administration of the plan and its supplement, the views of:

- (a) individuals and groups of individuals who are recipients of vocational rehabilitation services or, as appropriate, the individuals' representatives;
- (b) personnel working in programs that provide vocational rehabilitation services to individuals with disabilities;
- (c) providers of vocational rehabilitation services to individuals with disabilities;
- (d) the director of the Client Assistance Program; and
- (e) the State Rehabilitation Council, if the state has a council.

4.4 Nonfederal share. (Sections 7(14) and 101(a)(3) of the Rehabilitation Act; 34 CFR 80.24 and 361.60)

The nonfederal share of the cost of carrying out this State Plan is 21.3 percent and is provided through the financial participation by the state or, if the state elects, by the state and local agencies.

4.5 Local administration. (Sections 7(24) and 101(a)(2)(A) of the Rehabilitation Act; 34 CFR 361.5(b)(47) and .15)

The State Plan provides for the administration of the plan by a local agency.

**NO**

If "Yes", the designated state agency:

- (a) ensures that each local agency is under the supervision of the designated state unit with the sole local agency, as that term is defined in Section 7(24) of the Rehabilitation Act and 34 CFR 361.5(b)(47), responsible for the administration of the vocational rehabilitation program within the political subdivision that it serves; and
- (b) develops methods that each local agency will use to administer the vocational rehabilitation program in accordance with the State Plan.

4.6 Shared funding and administration of joint programs. (Section 101(a)(2)(A)(ii) of the Rehabilitation Act; 34 CFR 361.27)

The State Plan provides for the state agency to share funding and administrative responsibility with another state agency or local public agency to carry out a joint program to provide services to individuals with disabilities.

**NO**

If "Yes", the designated state agency submits to the commissioner for approval a plan that describes its shared funding and administrative arrangement. The plan must include:

- (a) a description of the nature and scope of the joint program;
- (b) the services to be provided under the joint program;
- (c) the respective roles of each participating agency in the administration and provision of services; and
- (d) the share of the costs to be assumed by each agency.

4.7 Statewide and waivers of statewide. (Section 101(a)(4) of the Rehabilitation Act; 34 CFR 361.25, .26, and .60(b)(3)(i) and (ii))

(a) Services provided under the State Plan are available in all political subdivisions of the state.

**YES**

(b) The state unit may provide services in one or more political subdivisions of the state that increase services or expand the scope of services that are available statewide under this State Plan if the:

- (1) nonfederal share of the cost of these services is met from funds provided by a local public agency, including funds contributed to a local public agency by a private agency, organization or individual;
- (2) services are likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments; and
- (3) state, for purposes other than the establishment of a community rehabilitation program or the construction of a particular facility for community rehabilitation program purposes, requests in Attachment 4.7(b)(3) a waiver of the statewide requirement in accordance with the following requirements:

- (A) identification of the types of services to be provided;
- (B) written assurance from the local public agency that it will make available to the state unit the nonfederal share of funds;
- (C) written assurance that state unit approval will be obtained for each proposed service before it is put into effect; and
- (D) written assurance that all other State Plan requirements, including a state's order of selection, will apply to all services approved under the waiver.

(c) Contributions, consistent with the requirements of 34 CFR 361.60(b)(3)(ii), by private entities of earmarked funds for particular geographic areas within the state may be used as part of the nonfederal share without the state requesting a waiver of the statewide requirement provided that the state notifies the commissioner that it cannot provide the full nonfederal share without using the earmarked funds.

4.8 Cooperation, collaboration and coordination. (Sections 101(a)(11), (24)(B), and 625(b)(4) and (5) of the Rehabilitation Act; 34 CFR 361.22, .23, .24, and .31, and 363.11(e))

(a) Cooperative agreements with other components of statewide work force investment system.

The designated state agency or the designated state unit has cooperative agreements with other entities that are components of the statewide work force investment system and replicates those agreements at the local level between individual offices of the designated state unit and local entities carrying out the One-Stop service delivery system or other activities through the statewide work force investment system.

(b) Cooperation and coordination with other agencies and entities.

Attachment 4.8(b) (1)-(4) describes the designated state agency's:

- (1) cooperation with and use of the services and facilities of the federal, state, and local agencies and programs, including programs carried out by the undersecretary for Rural Development of the United States Department of Agriculture and state use contracting programs, to the extent that those agencies and programs are not carrying out activities through the statewide work force investment system;
- (2) coordination, in accordance with the requirements of paragraph 4.8(c) of this section, with education officials to facilitate the transition of students with disabilities from school to the receipt of vocational rehabilitation services;
- (3) establishment of cooperative agreements with private nonprofit vocational rehabilitation service providers, in accordance with the requirements of paragraph 5.10(b) of the State Plan; and,
- (4) efforts to identify and make arrangements, including entering into cooperative agreements, with other state agencies and entities with respect to the provision of supported employment and extended services for individuals with the most significant disabilities, in accordance with the requirements of subsection 6.5 of the supplement to this State Plan.

(c) Coordination with education officials.

- (1) Attachment 4.8(b)(2) describes the plans, policies and procedures for coordination between the designated state agency and education officials responsible for the public education of students with disabilities that are designed to facilitate the transition of the students who are individuals with disabilities from the receipt of educational services in school to the receipt of vocational rehabilitation services under the responsibility of the designated state agency.

(2) The State Plan description must:

- (A) provide for the development and approval of an individualized plan for employment in accordance with 34 CFR 361.45 as early as possible during the transition planning process but, at the latest, before each student determined to be eligible for vocational rehabilitation services leaves the school setting or if the designated state unit is operating on an order of selection before each eligible student able to be served under the order leaves the school setting; and
- (B) include information on a formal interagency agreement with the state educational agency that, at a minimum, provides for:
  - (i) consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to postschool activities, including vocational rehabilitation services;
  - (ii) transition planning by personnel of the designated state agency and the educational agency for students with disabilities that facilitates the development and completion of



their individualized education programs under Section 614(d) of the Individuals with Disabilities Education Act;

- (iii) roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining state lead agencies and qualified personnel responsible for transition services; and
- (iv) procedures for outreach to students with disabilities as early as possible during the transition planning process and identification of students with disabilities who need transition services.

(d) Coordination with statewide independent living council and independent living centers.

The designated state unit, the Statewide Independent Living Council established under Section 705 of the Rehabilitation Act and 34 CFR 364, and the independent living centers described in Part C of Title VII of the Rehabilitation Act and 34 CFR 366 have developed working relationships and coordinate their activities.

(e) Cooperative agreement with recipients of grants for services to American Indians.

- (1) There is in the state a recipient(s) of a grant under Part C of Title I of the Rehabilitation Act for the provision of vocational rehabilitation services for American Indians who are individuals with disabilities residing on or near federal and state reservations.

**YES**

- (2) If "Yes", the designated state agency has entered into a formal cooperative agreement that meets the following requirements with each grant recipient in the state that receives funds under Part C of Title I of the Rehabilitation Act:

- (A) strategies for interagency referral and information sharing that will assist in eligibility determinations and the development of individualized plans for employment;
- (B) procedures for ensuring that American Indians who are individuals with disabilities and are living near a reservation or tribal service area are provided vocational rehabilitation services; and
- (C) provisions for sharing resources in cooperative studies and assessments, joint training activities, and other collaborative activities designed to improve the provision of services to American Indians who are individuals with disabilities.

4.9 Methods of administration. (Section 101(a)(6) of the Rehabilitation Act; 34 CFR 361.12, .19 and .51(a) and (b))

(a) In general.

The state agency employs methods of administration, including procedures to ensure accurate data collection and financial accountability, found by the commissioner to be necessary for the proper and efficient administration of the plan and for carrying out all the functions for which the state is responsible under the plan and 34 CFR 361

(b) Employment of individuals with disabilities.

The designated state agency and entities carrying out community rehabilitation programs in the state, who are in receipt of assistance under Part B, of Title I of the Rehabilitation Act and this State Plan, take affirmative action to employ and advance in employment qualified individuals with disabilities covered under and on the same terms and conditions as set forth in Section 503 of the Rehabilitation Act.

(c) Facilities.

Any facility used in connection with the delivery of services assisted under this State Plan meets program accessibility requirements consistent with the provisions, as applicable, of the Architectural Barriers Rehabilitation Act of 1968, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act of 1990 and the regulations implementing these laws.

4.10 Comprehensive system of personnel development. (Section 101(a)(7) of the Rehabilitation Act; 34 CFR 361.18)

Attachment 4.10 describes the designated state agency's procedures and activities to establish and maintain a comprehensive system of personnel development designed to ensure an adequate supply of qualified state rehabilitation professional and paraprofessional personnel for the designated state unit. The description includes the following:

(a) Data system on personnel and personnel development.

Development and maintenance of a system for collecting and analyzing on an annual basis data on qualified personnel needs and personnel development with respect to:

(1) Qualified personnel needs.

- (A) The number of personnel who are employed by the state agency in the provision of vocational rehabilitation services in relation to the number of individuals served, broken down by personnel category;
- (B) The number of personnel currently needed by the state agency to provide vocational rehabilitation services, broken down by personnel category; and
- (C) Projections of the number of personnel, broken down by personnel category, who will be needed by the state agency to provide vocational rehabilitation services in the state in five years based on projections of the number of individuals to be served, including individuals with significant disabilities, the number of personnel expected to retire or leave the field, and other relevant factors.

(2) Personnel development.

- (A) A list of the institutions of higher education in the state that are preparing vocational rehabilitation professionals, by type of program;
- (B) The number of students enrolled at each of those institutions, broken down by type of program; and
- (C) The number of students who graduated during the prior year from each of those institutions with certification or licensure, or with the credentials for certification or licensure, broken down by the personnel category for which they have received, or have the credentials to receive, certification or licensure.

(b) Plan for recruitment, preparation and retention of qualified personnel.

Development, updating on an annual basis, and implementation of a plan to address the current and projected needs for qualified personnel based on the data collection and analysis system described in paragraph (a) of this subsection and that provides for the coordination and facilitation of efforts between the designated state unit and institutions of higher education and professional associations to recruit, prepare and retain personnel who are qualified in accordance with paragraph (c) of this subsection, including personnel from minority backgrounds and personnel who are individuals with disabilities.

(c) Personnel standards.

Policies and procedures for the establishment and maintenance of personnel standards to ensure that designated state unit professional and paraprofessional personnel are appropriately and adequately prepared and trained, including:

- (1) standards that are consistent with any national- or state-approved or recognized certification, licensing, registration, or, in the absence of these requirements, other comparable requirements (including state personnel requirements) that apply to the profession or discipline in which such personnel are providing vocational rehabilitation services.
- (2) To the extent that existing standards are not based on the highest requirements in the state applicable to a particular profession or discipline, the steps the state is currently taking and the steps the state plans to take in accordance with the written plan to retrain or hire personnel within the designated state unit to meet standards that are based on the highest requirements in the state, including measures to notify designated state unit personnel, the institutions of higher education identified in subparagraph (a)(2), and other public agencies of these steps and the time lines for taking each step.
- (3) The written plan required by subparagraph (c)(2) describes the following:
  - (A) specific strategies for retraining, recruiting and hiring personnel;
  - (B) the specific time period by which all state unit personnel will meet the standards required by subparagraph (c)(1);
  - (C) procedures for evaluating the designated state unit's progress in hiring or retraining personnel to meet applicable personnel standards within the established time period; and
  - (D) the identification of initial minimum qualifications that the designated state unit will require of newly hired personnel when the state unit is unable to hire new personnel who meet the established personnel standards and the identification of a plan for training such individuals to meet the applicable standards within the time period established for all state unit personnel to meet the established personnel standards.
- (d) Staff development.
 

Policies, procedures and activities to ensure that all personnel employed by the designated state unit receive appropriate and adequate training. The narrative describes the following:

  - (1) A system of staff development for professionals and paraprofessionals within the designated state unit, particularly with respect to assessment, vocational counseling, job placement and rehabilitation technology.
  - (2) Procedures for the acquisition and dissemination to designated state unit professionals and paraprofessionals significant knowledge from research and other sources.
- (e) Personnel to address individual communication needs.
 

Availability of personnel within the designated state unit or obtaining the services of other individuals who are able to communicate in the native language of applicants or eligible individuals who have limited English speaking ability or in appropriate modes of communication with applicants or eligible individuals.
- (f) Coordination of personnel development under the Individuals with Disabilities Education Act.
 

Procedures and activities to coordinate the designated state unit's comprehensive system of personnel development with personnel development under the Individuals with Disabilities Education Act.

4.11. Statewide assessment; annual estimates; annual state goals and priorities; strategies; and progress reports. (Sections 101(a)(15), 105(c)(2) and 625(b)(2) of the Rehabilitation Act; 34 CFR 361.17(h)(2), .29, and 363.11(b))

(a) Comprehensive statewide assessment.

- (1) Attachment 4.11(a) documents the results of a comprehensive, statewide assessment, jointly conducted every three years by the designated state unit and the State Rehabilitation Council (if the state has such a council). The assessment describes:

(A) the rehabilitation needs of individuals with disabilities residing within the state, particularly the vocational rehabilitation services needs of:

- (i) individuals with the most significant disabilities, including their need for supported employment services;
- (ii) individuals with disabilities who are minorities and individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program carried out under this State Plan; and
- (iii) individuals with disabilities served through other components of the statewide work force investment system.

(B) The need to establish, develop or improve community rehabilitation programs within the state.

(2) For any year in which the state updates the assessments, the designated state unit submits to the commissioner a report containing information regarding updates to the assessments.

(b) Annual estimates.

Attachment 4.11(b) identifies on an annual basis state estimates of the:

- (1) number of individuals in the state who are eligible for services under the plan;
- (2) number of eligible individuals who will receive services provided with funds provided under Part B of Title I of the Rehabilitation Act and under Part B of Title VI of the Rehabilitation Act, including, if the designated state agency uses an order of selection in accordance with subparagraph 5.3(b)(2) of this State Plan, estimates of the number of individuals to be served under each priority category within the order; and
- (3) costs of the services described in subparagraph (b)(1), including, if the designated state agency uses an order of selection, the service costs for each priority category within the order.

(c) Goals and priorities.

- (1) Attachment 4.11(c)(1) identifies the goals and priorities of the state that are jointly developed or revised, as applicable, with and agreed to by the State Rehabilitation Council, if the agency has a council, in carrying out the vocational rehabilitation and supported employment programs.
- (2) The designated state agency submits to the commissioner a report containing information regarding any revisions in the goals and priorities for any year the state revises the goals and priorities.

(3) Order of selection.

If the state agency implements an order of selection, consistent with subparagraph 5.3(b)(2) of the State Plan, Attachment 4.11(c)(3):

(A) shows the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services;

(B) provides a justification for the order; and

(C) identifies the service and outcome goals, and the time within which these goals may be achieved for individuals in each priority category within the order.

(4) Goals and plans for distribution of Title VI, Part B, funds.

Attachment 4.11(c)(4) specifies, consistent with subsection 6.4 of the State Plan supplement, the state's goals and priorities with respect to the distribution of funds received under Section 622 of the Rehabilitation Act for the provision of supported employment services.

(d) Strategies.

(1) Attachment 4.11(d) describes the strategies, including;

- (A) the methods to be used to expand and improve services to individuals with disabilities, including how a broad range of assistive technology services and assistive technology devices will be provided to those individuals at each stage of the rehabilitation process and how those services and devices will be provided to individuals with disabilities on a statewide basis;
- (B) outreach procedures to identify and serve individuals with disabilities who are minorities, including those with the most significant disabilities in accordance with subsection 6.6 of the State Plan supplement, and individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program;
- (C) as applicable, the plan of the state for establishing, developing or improving community rehabilitation programs;
- (D) strategies to improve the performance of the state with respect to the evaluation standards and performance indicators established pursuant to Section 106 of the Rehabilitation Act; and
- (E) strategies for assisting other components of the statewide work force investment system in assisting individuals with disabilities.

(2) Attachment 4.11 (d) describes how the designated state agency uses these strategies to:

- (A) address the needs identified in the assessment conducted under paragraph 4.11(a) and achieve the goals and priorities identified in the State Plan attachments under paragraph 4.11(c);
- (B) support the innovation and expansion activities identified in subparagraph 4.12(a)(1) and (2) of the plan; and
- (C) overcome identified barriers relating to equitable access to and participation of individuals with disabilities in the State Vocational Rehabilitation Services Program and State Supported Employment Services Program.

(e) Evaluation and reports of progress.

- (1) The designated state unit and the State Rehabilitation Council, if the state unit has a council, jointly submits to the commissioner an annual report on the results of an evaluation of the effectiveness of the vocational rehabilitation program and the progress made in improving the effectiveness of the program from the previous year.

(2) Attachment 4.11(e)(2):

(3)

- (A) provides an evaluation of the extent to which the goals identified in Attachment 4.11(c)(1) and, if applicable, Attachment 4.11(c)(3) were achieved;
- (B) identifies the strategies that contributed to the achievement of the goals and priorities;
- (C) describes the factors that impeded their achievement, to the extent they were not achieved;
- (D) assesses the performance of the state on the standards and indicators established pursuant to Section 106 of the Rehabilitation Act; and
- (E) provides a report consistent with paragraph 4.12(c) of the plan on how the funds reserved for innovation and expansion activities were utilized in the preceding year.

4.12 Innovation and expansion. (Section 101(a)(18) of the Rehabilitation Act; 34 CFR 361.35)

- (a) The designated state agency reserves and uses a portion of the funds allotted to the state under Section 110 of the Rehabilitation Act for the:

- (1) development and implementation of innovative approaches to expand and improve the provision of vocational rehabilitation services to individuals with disabilities under this State Plan, particularly individuals with the most significant disabilities, consistent with the findings of the statewide assessment identified in Attachment 4.11(a) and goals and priorities of the state identified in Attachments 4.11(c)(1) and, if applicable, Attachment 4.11(c)(3); and
  - (2) support of the funding for the State Rehabilitation Council, if the state has such a council, consistent with the resource plan prepared under Section 105(d)(1) of the Rehabilitation Act and 34 CFR 361.17(i), and the funding of the Statewide Independent Living Council, consistent with the resource plan prepared under Section 705(e)(1) of the Rehabilitation Act and 34 CFR 364.21(i).
- (b) Attachment 4.11 (d) describes how the reserved funds identified in subparagraph 4.12(a)(1) and (2) will be utilized.
- (c) Attachment 4.11(e)(2) describes how the reserved funds were utilized in the preceding year.

#### 4.13 Reports. (Section 101(a)(10) of the Rehabilitation Act; 34 CFR 361.40)

- (a) The designated state unit submits reports in the form and level of detail and at the time required by the commissioner regarding applicants for and eligible individuals receiving services under the State Plan.
- (b) Information submitted in the reports provides a complete count, unless sampling techniques are used, of the applicants and eligible individuals in a manner that permits the greatest possible cross-classification of data and protects the confidentiality of the identity of each individual.

## **Section 5: Administration of the Provision of Vocational Rehabilitation Services**

### 5.1 Information and referral services. (Sections 101(a)(5)(D) and (20) of the Rehabilitation Act; 34 CFR 361.37)

The designated state agency has implemented an information and referral system that is adequate to ensure that individuals with disabilities, including individuals who do not meet the agency's order of selection criteria for receiving vocational rehabilitation services if the agency is operating on an order of selection, are provided accurate vocational rehabilitation information and guidance, including counseling and referral for job placement, using appropriate modes of communication, to assist such individuals in preparing for, securing, retaining or regaining employment, and are referred to other appropriate federal and state programs, including other components of the statewide work force investment system in the state.

### 5.2 Residency. (Section 101(a)(12) of the Rehabilitation Act; 34 CFR 361.42(c)(1))

The designated state unit imposes no duration of residence requirement as part of determining an individual's eligibility for vocational rehabilitation services or that excludes from services under the plan any individual who is present in the state.

### 5.3 Ability to serve all eligible individuals; order of selection for services. (Sections 12(d) and 101(a)(5) of the Rehabilitation Act; 34 CFR 361.36)

**NO, Maine is under an Order of Selection.**

- (a) The designated state unit is able to provide the full range of services listed in Section 103(a) of the Rehabilitation Act and 34 CFR 361.48, as appropriate, to all eligible individuals with disabilities in the state who apply for services.
- (b) If No:
  - (1) Individuals with the most significant disabilities, in accordance with criteria established by the state, are selected first for vocational rehabilitation services before other individuals with disabilities.
  - (2) Attachment 4.11(c)(3):
    - (A) shows the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services
    - (B) provides a justification for the order of selection; and
    - (C) identifies the state's service and outcome goals and the time within which these goals may be achieved for individuals in each priority category within the order.
  - (3) Eligible individuals who do not meet the order of selection criteria have access to the services provided through the designated state unit's information and referral system established under Section 101(a)(20) of the Rehabilitation Act, 34 CFR 361.37, and subsection 5.1 of this State Plan.

5.4 Availability of comparable services and benefits. (Sections 101(a)(8) and 103(a) of the Rehabilitation Act; 34 CFR 361.53)

- (a) Prior to providing any vocational rehabilitation services, except those services identified in paragraph (b), to an eligible individual or to members of the individual's family, the state unit determines whether comparable services and benefits exist under any other program and whether those services and benefits are available to the individual.
- (b) The following services are exempt from a determination of the availability of comparable services and benefits:
  - (1) assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
  - (2) counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of Section 102(d) of the Rehabilitation Act;
  - (3) referral and other services to secure needed services from other agencies, including other components of the statewide work force investment system, through agreements developed under Section 101(a)(11) of the Rehabilitation Act, if such services are not available under this State Plan;
  - (4) job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
  - (5) rehabilitation technology, including telecommunications, sensory and other technological aids and devices; and
  - (6) post-employment services consisting of the services listed under subparagraphs (1) through (5) of this paragraph.
- (c) The requirements of paragraph (a) of this section do not apply if the determination of the availability of comparable services and benefits under any other program would interrupt or delay:

- (1) progress of the individual toward achieving the employment outcome identified in the individualized plan for employment;
  - (2) an immediate job placement; or
  - (3) provision of vocational rehabilitation services to any individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.
- (d) The governor in consultation with the designated state vocational rehabilitation agency and other appropriate agencies ensures that an interagency agreement or other mechanism for interagency coordination that meets the requirements of Section 101(a)(8)(B)(i)-(iv) of the Rehabilitation Act takes effect between the designated state unit and any appropriate public entity, including the state Medicaid program, a public institution of higher education, and a component of the statewide work force investment system to ensure the provision of the vocational rehabilitation services identified in Section 103(a) of the Rehabilitation Act and 34 CFR 361.48, other than the services identified in paragraph (b) of this section, that are included in the individualized plan for employment of an eligible individual, including the provision of those vocational rehabilitation services during the pendency of any dispute that may arise in the implementation of the interagency agreement or other mechanism for interagency coordination.

5.5 Individualized plan for employment. (Section 101(a)(9) of the Rehabilitation Act; 34 CFR 361.45 and .46)

- (a) An individualized plan for employment meeting the requirements of Section 102(b) of the Rehabilitation Act and 34 CFR 361.45 and .46 is developed and implemented in a timely manner for each individual determined to be eligible for vocational rehabilitation services, except if the state has implemented an order of selection, and is developed and implemented for each individual to whom the designated state unit is able to provide vocational rehabilitation services.
- (b) Services to an eligible individual are provided in accordance with the provisions of the individualized plan for employment.

5.6 Opportunity to make informed choices regarding the selection of services and providers. (Sections 101(a)(19) and 102(d) of the Rehabilitation Act; 34 CFR 361.52)

Applicants and eligible individuals or, as appropriate, their representatives are provided information and support services to assist in exercising informed choice throughout the rehabilitation process, consistent with the provisions of Section 102(d) of the Rehabilitation Act and 34 CFR 361.52.

5.7 Services to American Indians. (Section 101(a)(13) of the Rehabilitation Act; 34 CFR 361.30)

The designated state unit provides vocational rehabilitation services to American Indians who are individuals with disabilities residing in the state to the same extent as the designated state agency provides such services to other significant populations of individuals with disabilities residing in the state.

5.8 Annual review of individuals in extended employment or other employment under special certificate provisions of the fair labor standards act of 1938. (Section 101(a)(14) of the Rehabilitation Act; 34 CFR 361.55)

- (a) The designated state unit conducts an annual review and reevaluation of the status of each individual with a disability served under this State Plan:



- (1) who has achieved an employment outcome in which the individual is compensated in accordance with Section 14(c) of the Fair Labor Standards Act (29 U.S.C. 214(c)); or
  - (2) whose record of services is closed while the individual is in extended employment on the basis that the individual is unable to achieve an employment outcome in an integrated setting or that the individual made an informed choice to remain in extended employment.
- (b) The designated state unit carries out the annual review and reevaluation for two years after the individual's record of services is closed (and thereafter if requested by the individual or, if appropriate, the individual's representative) to determine the interests, priorities and needs of the individual with respect to competitive employment or training for competitive employment.
  - (c) The designated state unit makes maximum efforts, including the identification and provision of vocational rehabilitation services, reasonable accommodations and other necessary support services, to assist the individuals described in paragraph (a) in engaging in competitive employment.
  - (d) The individual with a disability or, if appropriate, the individual's representative has input into the review and reevaluation and, through signed acknowledgement, attests that the review and reevaluation have been conducted.
- 5.9 Use of Title I funds for construction of facilities. (Sections 101(a)(17) and 103(b)(2)(A) of the Rehabilitation Act; 34 CFR 361.49(a)(1), .61 and .62(b))
- If the state elects to construct, under special circumstances, facilities for community rehabilitation programs, the following requirements are met:
- (a) The federal share of the cost of construction for facilities for a fiscal year does not exceed an amount equal to 10 percent of the state's allotment under Section 110 of the Rehabilitation Act for that fiscal year.
  - (b) The provisions of Section 306 of the Rehabilitation Act that were in effect prior to the enactment of the Rehabilitation Act Amendments of 1998 apply to such construction.
  - (c) There is compliance with the requirements in 34 CFR 361.62(b) that ensure the use of the construction authority will not reduce the efforts of the designated state agency in providing other vocational rehabilitation services other than the establishment of facilities for community rehabilitation programs.
- 5.10 Contracts and cooperative agreements. (Section 101(a)(24) of the Rehabilitation Act; 34 CFR 361.31 and .32)

(a) Contracts with for-profit organizations.

The designated state agency has the authority to enter into contracts with for-profit organizations for the purpose of providing, as vocational rehabilitation services, on-the-job training and related programs for individuals with disabilities under Part A of Title VI of the Rehabilitation Act, upon the determination by the designated state agency that for-profit organizations are better qualified to provide vocational rehabilitation services than nonprofit agencies and organizations.

(b) Cooperative agreements with private nonprofit organizations.

Attachment 4.8(b)(3) describes the manner in which the designated state agency establishes cooperative agreements with private nonprofit vocational rehabilitation service providers.

## **Section 6: Program Administration**

### **6.1 Designated state agency. (Section 625(b)(1) of the Rehabilitation Act; 34 CFR 363.11(a))**

The designated state agency for vocational rehabilitation services identified in paragraph 1.2 of the Title I State Plan is the state agency designated to administer the State Supported Employment Services Program authorized under Title VI, Part B, of the Rehabilitation Act.

6.2 Statewide assessment of supported employment services needs. (Section 625(b)(2) of the Rehabilitation Act; 34 CFR 363.11(b))

Attachment 4.11(a) describes the results of the comprehensive, statewide needs assessment conducted under Section 101(a)(15)(a)(1) of the Rehabilitation Act and subparagraph 4.11(a)(1) of the Title I State Plan with respect to the rehabilitation needs of individuals with most significant disabilities and their need for supported employment services, including needs related to coordination.

6.3 Quality, scope and extent of supported employment services. (Section 625(b)(3) of the Rehabilitation Act; 34 CFR 363.11(c) and .50(b)(2))

Attachment 6.3 describes the quality, scope and extent of supported employment services to be provided to individuals with the most significant disabilities who are eligible to receive supported employment services. The description also addresses the timing of the transition to extended services to be provided by relevant state agencies, private nonprofit organizations or other sources following the cessation of supported employment service provided by the designated state agency.

6.4 Goals and plans for distribution of Title VI, Part B, funds. (Section 625(b)(3) of the Rehabilitation Act; 34 CFR 363.11(d) and .20)

Attachment 4.11(c)(4) identifies the state's goals and plans with respect to the distribution of funds received under Section 622 of the Rehabilitation Act.

6.5 Evidence of collaboration with respect to supported employment services and extended services. (Sections 625(b)(4) and (5) of the Rehabilitation Act; 34 CFR 363.11(e))

Attachment 4.8(b)(4) describes the efforts of the designated state agency to identify and make arrangements, including entering into cooperative agreements, with other state agencies and other appropriate entities to assist in the provision of supported employment services and other public or nonprofit agencies or organizations within the state, employers, natural supports, and other entities with respect to the provision of extended services.

6.6 Minority outreach. (34 CFR 363.11(f))

Attachment 4.11(d) includes a description of the designated state agency's outreach procedures for identifying and serving individuals with the most significant disabilities who are minorities.

6.7 Reports. (Sections 625(b)(8) and 626 of the Rehabilitation Act; 34 CFR 363.11(h) and .52)

The designated state agency submits reports in such form and in accordance with such procedures as the commissioner may require and collects the information required by Section 101(a)(10) of the Rehabilitation Act separately for individuals receiving supported employment services under Part B, of Title VI and individuals receiving supported employment services under Title I of the Rehabilitation Act.

## **Section 7: Financial Administration**

### **7.1 Five percent limitation on administrative costs. (Section 625(b)(7) of the Rehabilitation Act; 34 CFR 363.11(g)(8))**

The designated state agency expends no more than five percent of the state's allotment under Section 622 of the Rehabilitation Act for administrative costs in carrying out the State Supported Employment Services Program.

### **7.2 Use of funds in providing services. (Sections 623 and 625(b)(6)(A) and (D) of the Rehabilitation Act; 34 CFR 363.6(c)(2)(iv), .11(g)(1) and (4))**

- (a) Funds made available under Title VI, Part B, of the Rehabilitation Act are used by the designated state agency only to provide supported employment services to individuals with the most significant disabilities who are eligible to receive such services.
- (b) Funds provided under Title VI, Part B, are used only to supplement and not supplant the funds provided under Title I, Part B, of the Rehabilitation Act, in providing supported employment services specified in the individualized plan for employment.
- (c) Funds provided under Part B of Title VI or Title I of the Rehabilitation Act are not used to provide extended services to individuals who are eligible under Part B of Title VI or Title I of the Rehabilitation Act.

## **Section 8: Provision of Supported Employment Services**

### **8.1 Scope of supported employment services. (Sections 7(36) and 625(b)(6)(F) and (G) of the Rehabilitation Act; 34 CFR 361.5(b)(54), 363.11(g)(6) and (7))**

- (a) Supported employment services are those services as defined in Section 7(36) of the Rehabilitation Act and 34 CFR 361.5(b)(54).
- (b) To the extent job skills training is provided, the training is provided on-site.
- (c) Supported employment services include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice of individuals with the most significant disabilities.

### **8.2 Comprehensive assessments of individuals with significant disabilities. (Sections 7(2)(B) and 625(b)(6)(B); 34 CFR 361.5(b)(6)(ii) and 363.11(g)(2))**

The comprehensive assessment of individuals with significant disabilities conducted under Section 102(b)(1) of the Rehabilitation Act and funded under Title I of the Rehabilitation Act includes consideration of supported employment as an appropriate employment outcome.

### **8.3 Individualized plan for employment. (Sections 102(b)(3)(F) and 625(b)(6)(C) and (E) of the Rehabilitation Act; 34 CFR 361.46(b) and 363.11(g)(3) and (5))**

- (a) An individualized plan for employment that meets the requirements of Section 102(b) of the Rehabilitation Act and 34 CFR 361.45 and .46 is developed and updated using funds under Title I.
- (b) The individualized plan for employment:
  - (1) specifies the supported employment services to be provided;

- (2) describes the expected extended services needed; and
  - (3) identifies the source of extended services, including natural supports, or, to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment plan is developed, a statement describing the basis for concluding that there is a reasonable expectation that sources will become available.
- (c) Services provided under an individualized plan for employment are coordinated with services provided under other individualized plans established under other federal or state programs.

## **Attachment 4.2(c) Input of State Rehabilitation Council**

Public hearings on the 2010 State Plan were scheduled on May 21, 2009 simultaneously at the Bangor CareerCenter and at the Department of Labor conference room in Augusta. These hearings were linked through Bureau of Rehabilitation Services and Department of Labor polycom system. Legal advertisements for the Public Hearings were posted in the in the Kennebec Journal, Bangor Daily News and Portland Press Herald for three days ten days prior to the hearings. The ad notice with a web link to the State Plan and Needs Assessment were also emailed to a variety of stakeholders including Bureau of Rehabilitation (BRS) Joint Leadership Committee whose membership includes the chairs and co-chairs of the councils working with BRS and the Division of Vocational Rehabilitation. In addition, a draft of the state plan was posted on the Bureau of Rehabilitation's website, 10 days prior to the hearings under the "What's New Section" in both document and rich text formats, this announcement included the hearing time and places.

### **(c) Summary of Input and Recommendations of the State Rehabilitation Council:**

The Maine State Rehabilitation Council (SRC) provides input to the Division of Vocational Rehabilitation (DVR) State Plan in several ways. There is a joint SRC-DVR Policy Committee that meets regularly to discuss procedural and policy issues within DVR. A function for Council members involved in that committee is to provide input into the development of the annual state plan. When this group met on April 9, 2009, on the agenda was the comprehensive needs assessment and the draft state plan. At that time, council members provided input on the needs assessment and discussed the need for gathering consumer input during the first year of the plan. The consumer input and the needs assessment itself should begin in the first year of the three year timeframe.

The public hearings for the State Plan were held in conjunction with the SRC meeting on May. No other stakeholders to the VR program spoke or submitted comments regarding the State Plan. Council members submitted additional comments to the Chair. Based on that input, the Council would like to make the following recommendations to DVR for inclusion into the 2010 State Plan:

#### Attachment 4.10 CSPD:

Regarding the Executive Order issued by the Governor to support the hiring of qualified individuals with disabilities, it is not known how successful the program is working. The council recommends a report on how the program is working be provided on a quarterly basis. Research needs to be done on this topic. Regarding graduate education as it pertains to VR counselors, the availability of training options is scarce. The council reiterates the importance of researching options for providing higher education training.

#### Attachment 4.11(b) Annual Estimates

The attachment states that 399 clients not in either Order of Selection (OOS) Category 1 or Category 2 are presently on the DVR wait list. Being as the state agency has exclusively served individuals in Category #1 for many years, the Council requests to know how long the 399 clients have been on the Wait List. Have there been attempts to contact the clients to determine if they are employed? Have these clients been provided information and referral services?

The above attachment states that "At present, Maine DVR has no way of identifying cost by OOS priority category." Being as approximately 95% of clients served in DVR are assigned to OOS Category #1, the Council wonders why this is significant.

The attachment states that for FFY 2010, “One hundred percent of those expected to be served will be classified in OOS as either category #1, or category #2.” Later in the same section, the attachment states that “Maine does not anticipate the ability to serve Category 2 in FFY 2010.” These statements are contradictory and need to be revised.

#### Attachment 4.11(c)(1) State Goals and Priorities:

The attachment discusses DVR’s initiative to eliminate the wait list and provide the “right services at the right time.” The Council is fully supportive of eliminating the long wait for services. The attachment also identifies the 4 “Interface Points”, including “Exiting the VR System.” The Client Assistance Program representative to the SRC has informed the Council of the use of the “Clear and Convincing Standard” to close DVR Cases. The Council requests data on the number of cases closed this way in the past 5 years.

The attachment identifies DVR’s Goals for 2010-2012. The Council is fully supportive of all the goals mentioned, especially providing services in a timely manner. However, the council makes the recommendation that there be an additional goal. We feel the state agency should revisit the council’s role in consumer satisfaction. The council desires a more proactive role in partnership with VR in the development of gathering and evaluating consumer input.

#### Attachment 4.11(c)(3) Order of Services

This section states that “the expenditures for transportation services have dropped over 43% in the FY 06 to FY 08 period.” The Council would like the agency to perform an analysis and provide a report why the significant reduction in transportation services has occurred.

The agency is also reporting significant reductions in Maintenance (79%) and Rehabilitation Technology (60%) during the same time period. The Council feels it would be important for the agency to understand why these reductions are occurring. Are the reductions having an impact on successful employment outcomes?

#### Attachment 4.11(e)(2) Evaluation and Reports of Progress – Vocational Rehabilitation (VR) and Supported Employment (SE) Goals:

For the past few years the SRC’s committee on “Increasing Employment Opportunities for Individuals with Mental Illness” focused on employment outcomes. It had been estimated that less than 6% of those served by the Office of Adult Mental Service were employed and of those employed few were working full-time. Over the past few years programs have been put in place that demonstrate that employment is seen as an achievable goal for an increasing number of those served by the Office of Adult Mental Health Services. The SRC recommends that VR join with the Office of Adult Mental Services to expand supported employment opportunities for individuals with mental illness and develop innovative strategies to assure that success on a part-time supported employment can lead to career oriented full time work.

This concludes our comments to the FY 2010 DVR State Plan. We would like to commend the Division for the quality Plan they have produced and thank you to Division for the opportunity to provide input.

#### **DVR Response:**

##### Attachment 4.10 CSPD

Regarding the Executive Order issued by the Governor to support the hiring of qualified individuals with disabilities, it is not known how successful the program is working.

Discussion between the Bureau of Human Resources and DVR's Rehabilitation Consultant who works with both the Community Rehabilitation Providers and Employment Networks has been initiated. She will be available to meet with the SRC to give updates and discuss their reporting request.

Regarding graduate education as it pertains to VR counselors, the availability of training options is scarce. DVR wants to assure the SRC it too wants qualified staff and will continue to research educational options and graduate training resources for its staff.

#### Attachment 4.11(b) Annual Estimates

In reference the statement of "the 399 clients not in either Order of Selection (OOS) Category 1 or Category 2". Have there been attempts to contact the clients to determine if they are employed? Have these clients been provided information and referral services?

These individuals were in applicant status at the close of FY 2008 and part of the 11,113 served that year. They had not yet been found eligible, had an OOS category assigned or been placed on the Wait list.

As part of its plan to eliminate the Waitlist, DVR willing be contacting all clients on the waitlist to determine their employment status and their desire to continue with DVR.

DVR provides information and referral to all clients when determined eligible and placed on a wait list. New procedures are being developed for periodic check-in with clients on the wait list to determine current need for VR assistance and awareness of Information & Referral resources.

This statement about DVR being unable to identify expenditures by OOS category was included in the report format because RSA requested the expenditure data be separated by category and the DVR information system is unable produce the information as requested.

The perceived contradictory statements between of serving OOS Categories 1 & 2 in FY 2009 and then the later statement of projecting only serving Category 1 in FY 2010. The first statement refers to the individuals already receiving services under plans, including some in category 2 who were receiving services under an IPE when the present Order of Selection was implemented the latter to clients coming off the wait list.

#### Attachment 4.11(c)(1) State Goals and Priorities:

Concerning the SRC for data on the number of cases closed using "Clear and Convincing Standard" in the past 5 years.

DVR will meet with the DVR-SRC Policy committee and discuss the data parameters requested for this report. This will be a special data request from the Systems Improvement and Quality Assurance (SIQA) Division.

The council desires a more proactive role in partnership with VR in the development of gathering and evaluating consumer input.

DVR has contracted with a nationally renowned firm to conduct Customer Satisfaction surveys on 2003, 2006, 2008. This enables a trend analysis over a 5 year period. Each year the SRC was invited to create agency specific questions for ME DVR. The instrument has been used in VT, NH and MA as well as ME allowing for geographic peer comparisons. The results of the 2008 consumer satisfaction are one of the key consumer feedback elements in the 2009 comprehensive statewide needs survey that helped identify the primary state plan goals. DVR will discuss additional program improvement strategies identified in the 2008 survey further with the SRC.

#### Attachment 4.11(c)(3) Order of Selection

The Council would like the agency to perform an analysis and provide a report why the significant reduction in transportation services has occurred.

The reduction in transportation and maintenance services over the past three years can be attributed to a renewed focus on DVR's Core Mission of attaining and maintaining employment. Procedural Directives on both these service areas were reviewed with the SRC. This has made more case service funds available to reduce the waitlist.

The Council would like the agency to perform an analysis and provide a report why the significant reduction in transportation services has occurred.

The change in Rehabilitation Technology services was a combination of coding and the occasional purchase of very expensive AT equipment in a single fiscal year i.e. van modifications. The coding issue has been corrected in FY 09, involving IT, SIQA and field staff developing definitions and state with training.

#### Attachment 4.11(e)(2) Evaluation and Reports of Progress – Vocational Rehabilitation (VR) and Supported Employment (SE) Goals:

The SRC recommends that VR join with the Office of Adult Mental Services to expand supported employment opportunities for individuals with mental illness and develop innovative strategies to assure that success on a part-time supported employment can lead to career oriented full time work.

DVR appreciates the SRC's support in building a partnership with the Office of Adult Mental Health Service through the SRC's Committee on Increasing Employment Opportunities for Individuals with Mental Illness. The Statewide Needs Assessment confirms that the DVR has not been as successful in serving this population as individuals with other disabilities. As a result DVR is including the following strategy "DVR will establish an innovation and expansion initiative with the Office of Adult Mental Health Service to increase supported employment options for individuals with mental illness with a focus on full time employment" under Goal # 1.

The Division of Vocational Rehabilitation appreciates the time taken by the SRC members and the SRC-Policy sub committee for their help in soliciting feedback and developing comments on the DVR 2010 State Plan.

### **Attachment 4.7(b)(3) Request for Waiver of Statewideness**



Identify the types of services to be provided by the program for which the waiver of statewideness is requested.

The Division of Vocational Rehabilitation is able to provide Vocational Rehabilitation services statewide under an Order of Selection. Therefore the waiver request is not necessary.

### **Attachment 4.8(b)(1) Cooperative Agreements with Agencies Not Carrying Out Activities Under the Statewide Workforce Investment System**

Describe interagency cooperation with and utilization of the services and facilities of agencies and programs that are not carrying out activities through the statewide workforce investment system with respect to

Division of Vocational Rehabilitation (DVR) works with other state agencies and many Councils and Committees whose focus is on individuals with disabilities. DVR works very closely with the Department of Health and Human Services (DHHS). DVR and DHHS have two memorandums of understanding (MOU) the Adults with Cognitive and Physical Disability (OACPD) serves individuals with development disabilities and individuals with brain injury also known as Developmental Services and the Office Adult Mental Health Services (OAMHS) whose primary focus is Mental Health services. The MOUs address the combined efforts that DHHS and DVR have initiated and clarify roles to improve the successful outcomes for these populations.

DVR Staff members sit on diverse councils such as the Acquired Brain Injury Council, Development Disabilities Council, the Governor's Committee on Public Transportation and several of the local Councils on Transition.

The Division had meetings with USDA Rural Development about three years ago unfortunately loss in their funding ended those discussions of formal cooperation. DVR is open to working with them in the future.

### **Attachment 4.8(b)(2) Coordination with Education Officials**

DVR continues its ongoing efforts to maximize and expand available resources and networking opportunities between Department of Education (DOE) and DVR continue to benefit both consumers and staff in the most cost effective manner. The Division of Vocational Rehabilitation with the Division the Division for the Blind and Visually Impaired plan to work with the Department of Education to update the current MOU signed in 1999 addressing among other topics youth in transition. The MOU is one of the goals developed from the 2010-2012 needs assessment. The anticipated time frame for the development and a completion of the updated MOU is by FY 2011.

Pauline Lamontagne, an education specialist with the Department of Education (DOE), participates in DVR planning as a valued member of the State of Maine Rehabilitation Council (SRC) and is a member of its a Comprehensive System of Personnel Development (CSPD) Advisory Council. She is the champion of full accessibility of all materials produced and used by DVR for staff training and consumer use.

David Stockford, Director of Special Services in the DOE sits on the Statewide Independent Living Council (SILC) He always keeps the needs of children with disabilities and youth in transition in the forefront.

Collaboration exists on an administrative level with the Commissioners of Education and Labor working jointly in a number of capacities including the Maine Children's Cabinet, the Workforce Cabinet; comprised of the Commissioners of the of Education, Labor, Corrections and the Economic Development and representative of the University of Maine and Community College systems and the Maine Jobs Council.

The Maine Committee on Transition (COT) and the regional COTs remain a vital link between DVR and DOE for services to Youth. They are the entities that coordinate the Mission Transition events every year. In 2009 all the Mission Transition days took place on the campuses of the Maine Community College System and Maine University systems. At the regional level the individual COT's assure effective communication between the local schools and local VR offices to provide outreach to students with a disability with a smooth transition for each student, beginning at age 16 or in the student's junior year in high school with the goal to provide post-school activities upon graduation. This is facilitated by having a designated VRC attend IEP's and begin the process of developing the IPE.

A transition agreement with the Department of Education exists, which defines and strengthens the relationships with DOE and calls for identification of students with disabilities, both in Special Education and regular programs, in order to plan their transition before graduation. The agreement focuses upon the need of the individual student and allows for flexibility and professional judgment to be exercised by personnel. It also spells out the roles of each agency in referral, outreach, and the provision of service. Staff training and development is coordinated; strategies for determining financial and other responsibility are in place; and, dispute resolution procedures are available

MaineCite is the grant holder of the State Grant for Assistive Technology (AT) under the DOE, Special Services. Kathy Powers, Program Director is very helpful to DVR in its effort to identify resources for assistive technology and in developing the AT survey distributed to DVR counselors. MaineCite staff have presented to the Statewide Rehabilitation Council and presented trainings at the Statewide Training for DVR staff in 2009.

### **Attachment 4.8(b)(3) Cooperative Agreements with Private Nonprofit Organizations**

The Division has a fee for service arrangement with both private non-profit and for-profit Community Rehabilitation Service providers and contracts with the Maine's sole Center of Independent Living, Alpha-One.

### **Attachment 4.8(b)(4) Arrangements and Cooperative Agreements for the Provision of Supported Employment Services**

The Division works closely with the Maine Department of Health and Human Services (DHHS) through the University of Maine, Center for Community Inclusion to design the Maine Employment Curriculum, to train in Supported Employment for Employment Specialist and job coaches in the Community Rehabilitation Provider sector.

Another collaborative effort, which falls under the goal of continuous improvement, is with the DHHS Office of Adult Mental Health Services, the DHHS Office of Quality Improvement and the Division. We conducted a statewide evaluation of supported employment services to individuals with mental illness in Maine using the Supported Employment Fidelity Scale model. The results of this evaluation will enable Maine to more clearly identify the strengths and needs of our supported employment service delivery system for this population.

The provision of support services for individuals who need supported employment services are addressed in our Memorandum of Understanding with the Department of Health and Human Services Office of Adult Mental Health Services (OAMHS) included in the 2008 State plan. OAMHS will cover vocational preparation work with DVR funding for time limited training services. Mental Health Services will cover the extended support services for individuals needing long term supported employment, once the training is completed and stabilization on the job has been reached.

The new MOU with the Office of Adults with Cognitive and Physical Disabilities (OACPD) addresses individuals with brain injury or developmental disabilities.

#### **Goals of the MOU with OACPD are:**

- Strengthen partnerships between BRS and OACPD in order to improve and expand employment services for our joint consumers. This partnership is based upon the shared belief that individuals with the most significant disabilities are able to work in integrated settings if appropriate services and supports are provided (Rehabilitation Act of 1973, as amended).
- Ensure ethical best practices, particularly as they relate to consumer rights and meaningful choices.
- Maximize the utilization of all employment and training resources and funds to support competitive employment for people with developmental disabilities.
- Improve the rehabilitation rate and increase the number of individuals with developmental disabilities who are successful in achieving competitive employment goals.

- Establish consistent practices of operation in BRS and OACPD in order to achieve a seamless transition to work. Special emphasis will be applied to youth in transition.
- In FY 2009 the Division and OACPD staffs will work together on joint training on vocational issues and the VR process.

Extended support services have been more limited for individual with developmental disabilities. Developmental Services is implementing a new Medicaid waiver which will shift resources from day habilitation services to employment and gives consumers the employment options that have been limited. This will result in additional individuals with developmental disabilities now being eligible for supported employment with Developmental Services providing extended supports. We are working with Development Services to develop a new agreement which will coordinate the delivery of supported employment services including extended supports

## Attachment 4.10 Comprehensive System of Personnel Development

### Data System on Personnel and Personnel Development

In Maine, the Division of Vocational Rehabilitation (DVR) has a wait-list for individuals seeking services and, as such, operates under an Order of Selection. The Order of Selection allows for only individuals found eligible category #1, or “most severely disabled”, to receive services. As in years past, it is anticipated that approximately 11,000 individuals will be served in FFY 2009. Current service delivery is performed by the DVR staff, which consists of 65 Vocational Rehabilitation Counselors, 6 Paraprofessionals, 9 Casework Supervisors, and 3 Regional Managers. In addition, DVR staff receives guidance and support services from 12 office/clerical personnel, 1 Director, 1 Assistant to the Director, and 5 Rehabilitation Consultants.

In FFY 2008, Maine DVR encountered a turnover rate of approximately 18% among its Rehabilitation Counselors. Over the past 5 years DVR has experienced on average a greater than 15% annual turnover rate of Rehabilitation Counselors. Such turnover is considered resultant of Maine’s aging workforce, competitive labor market and greater income potential in the private sector.

Assuming retention levels remain consistent with recent years, it can be projected that DVR staffing needs could include as many as 35 Rehabilitation Counselors in the next five years. In examining staffing patterns of all other DVR staff, there appears to be a slightly lower turnover rate, approximately 10-12% annually, about 7 VRCs a year. When applying this figure, it can be forecasted that Maine DVR will need 1 Director or Assistant Director, 1 Regional Manager, 5 Casework Supervisors, 1 Paraprofessional, 2 Support Personnel and 1 Rehabilitation Consultant in the next five years.

<b>Job Title</b>	<b>Total positions</b>	<b>Current vacancies</b>	<b>Projected vacancies over the next 5 years</b>
Director	1	0	0
Assistant Director	1	0	1
Regional Manager	3	0	1
Casework Supervisor	9	0	5
Vocational Rehabilitation Counselor II	65	1	35
Paraprofessional	6	0	1
Support Personnel	12	1	2
Rehabilitation Consultant	5	0	1

Maine has only one in-state institution of higher education, the University of Southern Maine (USM), that offers an educational program which satisfies the standards set forth by the Rehabilitation Services Administration (RSA) for states lacking a state standard for “fully qualified” vocational rehabilitation counselors (i.e. qualifies to sit for the CRCC exam). Unfortunately, USM does not offer RSA grant funding to rehabilitation program participants. Maine DVR lacks sufficient resources to pay educational/training costs associated in its efforts to develop and maintain a fully

qualified staff and, as such, conducts on-going surveys of distance educational programs that offer RSA grant funding to participants.

Currently Maine DVR has one Vocational Rehabilitation Counselor (VRC) enrolled in the University of Wisconsin-Stout Masters in Rehabilitation On-Line graduate program, and eight VRCs enrolled in the Virginia Commonwealth University, Rehabilitation On-Line graduate program. In total, Maine DVR has 9 VRCs enrolled in distance education programs.

During the previous year, Maine DVR had four VRCs and 1 Casework Supervisor complete the Master's in Rehabilitation Counseling graduate program at Assumption College. Additionally, one VRC successfully passed the CRCC exam.

Institutions	Students enrolled	Employees sponsored by agency and/or RSA	Graduates sponsored by agency and/or RSA	Graduates from the previous year
Assumption College	5			5
University of Wisconsin-Stout	1	1		
Virginia Commonwealth University	8	8		

### **Plan for Recruitment, Preparation and Retention of Qualified Personnel**

The State of Maine promotes the employment of persons from diverse backgrounds. In February 2006, Governor Baldacci issued an executive order calling for the state to better promote state jobs to persons with disabilities, to identify difficult-to-fill jobs, and to survey state workers about their disabilities and experiences with state government. The Bureau of Human Resources provides a system, referred to as "Special Appointment", to facilitate the recruitment of people from minority backgrounds and individuals with disabilities in filling State government vacancies.

Retaining qualified staff continues to be an area of concern for Maine DVR. In FFY 2009, an appeal to reclassify the salary scales for Vocational Rehabilitation Counselors, supported by Maine DVR, was successful. This, in addition to an increase for all state employees during the same period provided a monetary incentive for Maine VR counselors. Maine DVR continues to review and assess essential job functions within the Division in light of CSPD requirements seeking development of alternative approaches in the provision and maintenance of high quality service delivery. Currently, DVR staff is engaged in an effort to reduce caseload size, provide aggregate approaches to service delivery, and elimination of the waitlist.

Although State Government in Maine is currently subject to a hiring freeze, the Division, with the support of the Commissioner of the Department of Labor, worked closely with the State of Maine's Bureau of Human Resources (BHR) and was provided an exemption status to this hiring freeze when filling vacancies. Recent recruitment efforts, which have included electronic vacancy postings on national and State of Maine websites, through local postings with community providers and through information sharing with Maine's two colleges that offer a rehabilitation program, have yielded increased and more highly credentialed candidates when compared to previous years.

Recruitment methods used continue to be extensive and include internet postings on a variety of rehab-specific and general job bank sites, ongoing contact with Rehabilitation Counseling graduate

programs throughout the country, promotion of Maine DVR staffing opportunities at national rehabilitation conferences, networking with Community Rehabilitation Providers and other state agencies, and offering internship opportunities to pre-and post-graduate level rehabilitation students, as well as job listings in Maine Career Centers.

## **Personnel Standards**

Maine DVR personnel requirements and hiring practices are aligned with the Rehabilitation Act mandates and its regulations. Maine DVR does not have an established state standard for fully qualified vocational rehabilitation counselors so defers to the Rehabilitation Services Administration standard whereby an individual must possess a Master's Degree in Rehabilitation Counseling, CRC status, or be eligible to sit for the CRC examination when filling Vocational Rehabilitation Counselor vacancies. Applicants and staff who possess masters degrees in counseling or a counseling-related degree, defined as Social Work, Psychology, Special Education, and Counseling also meet the standard if a graduate course in Theories and Techniques of Counseling course was completed as part of the degree requirements and additional graduate courses have been completed with a primary focus on Assessment, Occupational Information or Placement, Medical or Psychosocial Aspects of Disabilities, and in Community Resources or Delivery of Rehabilitation Services. In Maine, DVR requires that new hires lacking fully qualified status enter into educational plans designed to achieve fully qualified status as a condition of employment. DVR also supports educational programming for existing staff seeking to meet fully qualified status and, for those who have achieved CRC status and require on-going CRC training credits, as a sanctioned provider of CRC training credits.

When recruiting or hiring new staff, Maine DVR gives preference to fully qualified individuals. If there is a critical agency staffing need and recruitment efforts do not result secure a suitable candidate, DVR can hire individuals conditionally. These individuals are requested to enter into an agreement to acquire the appropriate credentials to become fully qualified under a Comprehensive System of Personnel Development (CSPD) plan. The CSPD plans and schedule for completion, are responsive to the needs to the individual counselor, and agreed to by management. They are incorporated into the employee's annual performance review to ensure continuity and progress toward fully qualified status. Counselors who require a full master's degree program to meet fully qualified status are allotted up to 5 years after completion of their probationary period to meet the requirements while those with related counseling masters degrees seeking to meet CRC exam standards or are currently in a masters in counseling program are provided accelerated timeframes dependent on remaining coursework.

Working to ensure that CSPD standards are achieved to the maximum extent possible, Maine DVR regularly reviews the qualifications of all staff and tracks the educational plans of new hires and personnel requiring education and training. Content of CSPD plans for rehabilitation counselors who have not met the State standard are developed with supervisors upon completion of probation and reviewed as part of an annual performance review. CSPD plans reflect a balance between personnel development and operational needs, seek optimal training modalities and formats, as well as most cost effective. Upon entering CSPD plans, program and coursework approval must be from the DVR Training Coordinator, who will maintain a record of all staff training activities and certifications.

## **Staff Development**

Staff development is monitored in both formal and informal venues. Formally, all DVR staff is subject to annual performance reviews, a portion of which specifically addresses personal development. At these reviews, staff and supervisors jointly identify training required to address performance enhancement or, for CRCs, training needs to ensure adequate progress to maintain credentialing, as well as timeframes needed to complete the training(s). Further, the Maine Bureau of Rehabilitation, of which DVR is the largest Division, hosts a semi-annual, two-day statewide training event at which multiple trainings identified and prioritized by staff and oversight bodies (i.e. State Rehabilitation Counsel, CSPD Advisory Committee) are offered to all staff. Informally, training needs and activities are often identified and offered at regional/office levels at monthly staff meetings, internal committee work, and at individual initiation. In an effort to maximize training resources staff often solicit local training resources to provide free or low cost workshops, attend trainings with a “train the trainer” perspective to provide turn-around training to other staff, and share internal expertise through in-house training opportunities.

In the previous year, Maine DVR training resources and opportunities were impacted adversely by both an executively imposed travel restriction, disallowing state employees to travel outside the State of Maine, as well as insufficient In-Service Training monies to provide adequate training opportunities for Maine DVR staff. In response, Maine DVR has made continuous efforts to seek and identify enhanced learning opportunities, particularly through use of distance learning modalities, in providing educational forums for its staff. Videoconferencing capacity has been established on a statewide basis and has led to extensive learning collaborations with the Career Center One Stops, the Social Security Administration, with external partners such as Maine CITE, the Small Business Development Corporation, college preparation and the local workforce development boards. Maine DVR staff also seeks distance training opportunities through webinars and teleconferences such as those offered by WorkforceOne, Independent Living Research Utilization, Social Security Administration and Parent Education Advocacy Training Center. Electronic newsletters, known as “E-News” are also available to staff from sources such as the Institute for Community Inclusion and WorkforceOne. New counselor training curriculum, which entails a three-week, comprehensive overview of the VR process and includes topic areas such as rehabilitation technology, job placement and assessment, and vocational counseling is available to all staff and required of new staff, as well as interactive training modules in casework flow and post-secondary education.

Training opportunities and conference materials are shared through a number of statewide avenues, including the Internet and intranet, the CSPD advisory committee, and counselor, managerial and supervisory networking activities and interactions. A library of training resources, including texts, journals and videotapes addressing vocational rehabilitation topic areas, loaned to regional offices as needed. These materials include Institute on Rehabilitation Issues publications, computer CDs offering American Sign Language tutorial, videotapes addressing learning disabilities, Consumer Choice News, National Clearinghouse of Rehabilitation Training Materials, and other documents from the various National Rehabilitation and Research and Training Programs throughout the United States.

## **Personnel to Address Individual Communication Needs**

In addressing issues associated with diversity and cultural needs, the Division has three staff members who are Deaf, two Rehabilitation Counselors for the Deaf & /Hard of Hearing (RCDs) and one Rehabilitation Assistant, all who are able to communicate with Deaf consumers in their native



language, American Sign Language (ASL). These counselors do employ interpreter services for individuals with whom they can not communicate directly. Counselors for the Deaf have videophones at their desks for visual communication with consumers. Videolinks, Video Relay Interpreting (VRI) and access to Video Remote Captioning are at various stages of implementation within DVR and the Career Centers. Spoken language interpreter services are accessed through the Refugee Re-settlement Agency of Portland, Maine, where more than 40 different languages are recognized. In northern Maine, the Multicultural Student Services and Programs at the University of Maine provide similar interpreting services. DVR employs a number of bilingual speaking staff.

## **Coordination of Personnel Development Under the Individuals with Disabilities Education Improvement Act**

As outlined in Section 606, Employing Individuals with Disabilities, of the Individuals with Disabilities Education Improvement Act, Maine DVR continually makes “positive efforts to employ and advance in employment qualified individuals with disabilities in programs assisted under this title”. Currently twenty-three “Transition” counselors are assigned to work with more the two hundred Maine High Schools as well as out-of-school youth and youth attending private institutions. Transition aged youth represent one of the fastest growing populations in which Maine DVR serves. In response Maine DVR staff work closely and regularly with statewide Councils on Transition with membership on both regional boards and on the State Council on Transition Advisory Board. Collaboration is particularly evident in providing high quality transition events, such as Mission Transition, which was offered statewide in FFY 2009 through 10 regional events and in participation at Transition Outcomes Projects. Maine DVR has an internal Statewide Transition Counselor Advisory Group that meets five times each year to seek education and uniformity in the provision of VR transition services. Collaboration exists on an administrative level with the Commissioners of Education and Labor working jointly in a number of capacities, including as part of the Maine Children’s Cabinet and the Maine Jobs Council. The Department of Education also has a participating member of DVR’s State Rehabilitation Council and CSPD Advisory Committee. The Division continues to work with several other departments, including Health and Human Services and Corrections, and has a Memorandum of Understanding with the Department of Health and Human Services to promote cross-training of personnel seeking better vocational preparation and quality outcomes for individuals with pervasive mental health issues.

DVR continues to maintain reciprocal partnerships with institutions of education, recognized for their commitment to rehabilitation services. Division staff members participate on the University of Southern Maine (USM) and the University of Maine at Farmington’s advisory boards, as these schools have vocational rehabilitation training programs. USM has the graduate and Farmington an under-graduate curriculum. The Division participates with the Institute for Community Inclusion and Assumption College, recently identified as the Technical Assistance and Continuing Education Center for Maine, through its involvement in various advisory boards, planning committees, and training opportunities.

## **Attachment 4.11(a) Statewide Assessment**

### **Statewide Needs Assessment Summary**

Maine Division of Vocational Rehabilitation conducted the Comprehensive Statewide Needs Assessment with its State Rehabilitation Council gathering and analyzing a wide range of information, including the agency's own performance data, existing disability population statistics, disability population projections, and input from stakeholders. This process started in May of 2008 with Consumer Satisfaction Survey and ended in May 2009 with the SRC's final input on the 2010-2012 goals. The SRC was an integral partner in the entire process.

Although challenged by an economic recession and severe state budget shortfalls, DVR continues to provide vocational rehabilitation services to thousands of Mainers with disabilities each year. As with the 2006 Needs Assessment, individuals served by DVR are generally very satisfied with the services that they receive and report feeling that they are treated with dignity and respect. In the last three years, however, increasing frustration has been noted with the wait for services and counselor turnover. Although time spent on the waiting list stabilized at six months, time to develop an employment plan (IPE) has increased. The overall average of time from application to closure is over three years, which is significantly longer than other peer states.

In terms of case service expenditures, job development and college or university training remained DVR's highest cost areas, consistent with the findings in 2006. Of note, is that a secondary analysis of the agency's post-secondary expenditures found that individuals who were able to complete a post-secondary degree or certificate were more likely to find and keep a job, achieve fulltime employment and have a higher income.

In considering the information provided by the Consumer Satisfaction Survey and various stakeholder inputs, things noted include: establishing clear expectations with consumers on what they can expect from the VR process; the importance of timely communications and the availability of counselors to respond to individual needs; the challenges of Maine's inadequate transportation system; insufficient career exploration, job fit and range of employment options; and unfamiliarity of general VR Counselors with specific disabilities and impairments.

In the areas of un-served and underserved groups, existing disability population statistics suggest that Maine has a large population of individuals with disabilities, including those receiving SSI and/or SSDI, who might benefit from services through DVR. Additionally, two other groups were identified in the assessment that should be anticipated as needing VR services in the future. The first is students with disabilities identified by the Department of Education as needing career services and education upon exiting high school. Many of these students have been identified as having Autism Spectrum Disorder. The other group is Veterans returning from Iraq and Afghanistan who have sustained injuries and are in need of vocational rehabilitation services.

Services to minorities with disabilities in Maine have always been a challenge to DVR. DVR has long attempted to provide services to the state's Native Americans and after several attempts, successfully supported the Houlton Band of Maliseets to be awarded a five-year Section 121 grant award in FY 2009. Through a memorandum of understanding, DVR has an opportunity to better serve tribal members. While the population of other minority groups is slowly increasing in Maine through resettlement programs and migrant employment, DVR outreach has not always been accepted or understood. DVR

staff could benefit from continued cultural sensitivity training specific to the individuals in Maine, like the Somalis in Lewiston.

## **RECOMMENDATIONS**

Maine's Division of Vocational Rehabilitation is embarking on a major initiative to eliminate the wait list and provide the "right service at the right time" to its consumers. Maine DVR plans to go "back to the basics" by evaluating each major process point with consumers. DVR has identified these points as: "Entering the VR System", "VR Plan Development", "VR Plan Accomplishment" and "Exiting the VR System". The goal is to provide services to all eligible consumers at the time that they need them to achieve competitive, community-based employment.

This Comprehensive Statewide Needs Assessment lends strong support to the importance of DVR's initiative and clarifying its purpose, targeting resources, engaging other service providers, and streamlining services. As DVR proceeds, it is recommended that:

- DVR review all the materials shared with consumers to ensure that they are clear about the agency's purpose and are accessible in multiple formats, both linguistically and culturally.
- VR Counselors and community-based agencies engaged to provide employment services be provided training to increase skills in serving specific disability and ethnic populations.
- DVR address the high numbers of individuals in Plan Development (Status 10) with a focus on those who drop out of the program and how the determination of a vocational goal can be improved, including through better career exploration.
- DVR implement a community rehabilitation provider "report card" in compiling and communicating employment outcome results.
- A Memorandum of Understanding (MOU) with the Veteran's Administration be developed to better coordinate services for returning Vets with disabilities.
- The MOU with the Department of Education be reviewed and revised as necessary to more efficiently serve students with disabilities in the transition to adulthood.
- DVR evaluate and address issues in its case closure processes and recidivism.

DVR full Needs Assessment 2010 is available at the Maine Bureau of Rehabilitation website at [www.maine.gov/rehab](http://www.maine.gov/rehab) or go directly to the documents by copying and pasting the links below into your browser.

Html document available at [http://www.maine.gov/rehab/dvr/stateplan/2010/2010\\_dvr\\_needs.shtml](http://www.maine.gov/rehab/dvr/stateplan/2010/2010_dvr_needs.shtml)

Rich text format available at [http://www.maine.gov/rehab/dvr/stateplan/2010/2010\\_dvr\\_needs.rtf](http://www.maine.gov/rehab/dvr/stateplan/2010/2010_dvr_needs.rtf)

Word document format available at  
[http://www.maine.gov/rehab/dvr/stateplan/2010/2010\\_dvr\\_needs.doc](http://www.maine.gov/rehab/dvr/stateplan/2010/2010_dvr_needs.doc)

## **Attachment 4.11(b) Annual Estimates**

Employment assistance to individuals with disabilities in Maine is primarily met through the Division of Vocational Rehabilitation. In 2008, DVR served 11,113 individuals with disabilities expending \$ 7,195,715 in Section 110 funding. The Division spent \$252,000 in Title VI-B funds on 86 individuals. There were a total of 137 supported employment clients served, 51 were served by Title I funds. DVR has a six month wait list for eligible consumers with the most significant disabilities receiving services under an employment plan. Since October 2005, the wait list was reduced from over 2000 in all categories to approximately 1200 at the end of March 2009. Maine is currently serving only individuals in Category One with fewer than 850 individuals on that list.

### **1. NUMBER OF INDIVIDUALS IN THE STATE WHO ARE ELIGIBLE FOR SERVICES UNDER THIS STATE PLAN**

In FY 2008 there were 3165 new applicants, and 2911 individuals were deemed eligible. There were a total of 1069 individuals who developed an Individualized Plan for Employment (IPE). In Maine DVR found 2764 consumers eligible for services and served 11,113 clients. Of the clients served 399 clients were not in OOS category 1 or 2 (did not have a significant disability) as their eligibility or OOS category was not yet assigned. At present Maine DVR has no way of identifying cost by OOS priority category. The goal for successful closures in FY 2008 was to successfully place more than 700 consumers. This goal was surpassed with 730 successful closures with no non-competitive closures.

The Division started FFY 2009 with 6983 clients eligible for services (status 04 through 24). It anticipates serving approximately 11,000 clients with \$8.4 million dollars in Title I funds. Approximately, 400 clients will be served with Part B of Title VI funds.

For FY 2009 Maine projected, 3400 new applicants, with 2800 individuals to become eligible for services, 1,200 individuals will develop Individualized Plans for Employment and projects greater than 700 successful outcomes. As of the end of the second quarter Maine DVR is at; 44% of anticipated applicants and 48% of individuals found eligible for services, 48% developed Individualized Plans for Employment and 42% successful outcomes. Traditionally Maine has more successful closures in the final quarter of the fiscal year.

For FY 2010, Maine is projecting the basically the same as FY 2009, 3400 new applicants, with 2800 individuals to become eligible for services. Maine anticipates that 1,200 individuals will develop Individualized Plans for Employment and projects over 730 successful outcomes.

### **2. NUMBER OF INDIVIDUALS WHO WILL RECEIVE SERVICES UNDER TITLE 1 AND TITLE VI AND NUMBERS TO BE SERVED IN EACH ORDER OF SELECTION PRIORITY CATEGORY.**

In FFY 2010, the projected number of clients to be served under an IPE is 4400

One hundred percent of those expected to be served will be classified in the Order Of Selection as either category #1 most significant, or category #2, significantly disabled.

For FFY 2010, Maine is expected to serve:

Category #1 (most significant) 4400 (Title I - 97% Title VI - 3%)

Category #2 (significant) 5 (Title I - 100% Title VI - 0%) (*Carry-over from pre OOS*)

3. COST OF SERVICES FOR PROJECTED TOTAL NUMBER OF CLIENTS TO BE SERVED  
INCLUDING SERVICE COSTS UNDER EACH OOS CATEGORY

Average expenditure per client in FFY 2010 is estimated to be: \$1,322.

Total costs of services for OOS category #1 are estimated to be: \$ 8,500,000.

Total costs of services for OOS category #2 are estimated to be: \$ 0. Maine DVR does not anticipate the ability to serve any individuals in Category 2, who are presently on the waitlist in FFY 2010.

## **Attachment 4.11(c)(1) State Goals and Priorities**

### **Maine Division of Vocational Rehabilitation Goals 2010-2012**

The analysis data collected in this year's Comprehensive Statewide Needs Assessment lends strong support to the importance of DVR's initiative and clarifying its purpose, targeting resources, engaging other service providers, and streamlining services

Therefore, Maine's Division of Vocational Rehabilitation is embarking on a major initiative to eliminate the wait list and provide the "right service at the right time" to its consumers. With the goal is to provide services to all eligible consumers at the time that they need them to achieve competitive, community-based employment. Maine DVR is evaluating each interface point with its consumers. DVR has identified these points as: "Entering the VR System", "VR Plan Development", "VR Plan Accomplishment" and "Exiting the VR System".

### **Maine Division of Vocational Rehabilitation Goals 2010-2012**

1. Increase the number of successful employment outcomes and meet or exceed the Federal standard for the rehabilitation rate.
  - a. Explore Innovation and Expansion initiative to better serve individuals with significant mental illness.
2. Serve all individuals eligible for DVR services without a delay.
3. Review and revise all materials shared with DVR consumers to ensure that they are clear about the agency's purpose and are accessible in multiple formats, including linguistically and culturally.
4. Provide training to VR counselors and community employment service providers, which will increase their vocational rehabilitation skills in serving individuals from specific disability and ethnic populations.
5. Develop an MOU with the Veteran's Administration.
6. Review and update the MOU with the Department of Education's Office of Special Services.

Specific strategies and tasks that will lead us to achieving these goals, will be identified and evaluated over the next 3 years, such as the work evolving from the teams already working on the Wait List Project.

## Attachment 4.11(c)(3) Order of Selection

The Division continues to provide VR services under an Order of Selection (OOS), which is defined in the 2007 DVR Rules Section 5. (Section 5 is included at the end of Attachment 4.11(c)(3). DVR continues to serve individuals in priority Category # 1, individuals with the most significant disabilities at this time. The goal of the Maine Division of Vocational Rehabilitation is to serve as many eligible people as possible, consistent with its financial and personnel resources with priority given to those persons with the most significant disabilities.

An Order of Selection was implemented in December 2001 with eligible individuals taken off wait list based on date of application. Since the implementation of the wait list, DVR has only served individuals in priority Category # 1. Since October 2005, the wait list has been reduced by from over 2136 individuals to just fewer than 1141 at present, April 2009.

As the wait list numbers were reduced, the numbers of individuals in the active statuses of 10-24 swelled to over 6200 in FY 2006 people. Please refer to the table below.

Source RSA 113							
Status	2002	2003	2004	2005	2006	2007	2008
<b>10</b>	1247	1926	1815	2118	3157	2916	2991
<b>12 – 24</b>	3656	3575	3639	3006	3056	3052	2602
<b>Combined</b>	4903	5501	5454	5124	6213	5968	5593
<b>Wait list 04</b>	1246	1354	2201	2136	1188	1421	1390

In March 2007, the wait list reduction plan was revised to keep it at six months. The SRC is advised of all decisions regarding the wait list and its comments and recommendations provide valuable input. As of March 2009 the wait list reflected 1205 eligible individuals; 850 in Category # 1, 267 in Category # 2, in 45 Category # 3 and 43 consumers whose Order of Selection status is undetermined. The goal is to eliminate the wait list and serve all eligible persons with out delay. Time in plan development, status 10 is be evaluated to develop a trend line and action plan. With the limited resources of both staff and case services dollars, we do not anticipate serving Category #2 and #3 this fiscal year.

The expenditures of case service dollars are monitored on a monthly basis and expenditures by service code are monitored quarterly. Procedural directives in the areas of post-secondary training-financial considerations and transportation services were amended and put in place April 1, 2008. The expenditures for transportation have dropped over 43% in the FY 06 to FY 08 period. The expenditures for post –secondary training have not decreased. Further analysis of the agency's post-secondary expenditures found that individuals who were able to complete a post-secondary degree or certificate were more likely to find and keep a job, achieve fulltime employment and have a higher income. DVR explores all avenues to stretch the available dollars, including third party payments without compromising service, delivery, consumer choice or quality. Information and referrals are provided to applicants about other resources within the workforce investment system.

**Section 5 of Division of Vocational Rehabilitation Rules 2007, Last amended October 25, 2008”.**

**SECTION 5 ORDER OF SELECTION**

1. If services cannot be provided to all eligible individuals who apply, the Order of Selection procedures must be implemented. After determining eligibility, counselors must assign a priority category and follow the Order of Selection for the provision of services. Individuals whose IPE has been developed and signed prior to the date of implementation of the Order of Selection will continue to receive cost services. Maine DVR will notify all eligible individuals of the priority categories in the Order of Selection. Eligible individuals in priority categories not currently being served will be notified in writing of their assignment to a particular category and their right to appeal their category assignment.
2. Individuals with disabilities shall be served by date of application in the following priority order:
  - A. Individuals with the most significant disabilities as defined as an individual:
    - (1) whose disability is of a permanent, chronic or cyclical nature;
    - (2) who has a significant physical or mental impairment that seriously limits two or more functional capacities (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of employment outcome; and
    - (3) whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time.
  - B. Individuals with significant disabilities as defined by the Rehabilitation Act of 1973, as amended, as an individual:
    - (1) who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, muscular-skeletal disorders, neurological disorders (including stroke and epilepsy), spinal cord conditions (including paraplegia and quadriplegia), sickle cell anemia, specific learning disabilities, end-stage renal disease, or other disabilities or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs which cause substantial functional limitation;
    - (2) who has a significant physical or mental impairment that seriously limits one functional capacity (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of employment outcome; and
    - (3) whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time.
    - (4) All other individuals with non-significant disabilities
3. Individuals Not Meeting the Order of Selection Criteria

Eligible individuals who do not meet the Order of Selection category currently being served will have access to services through information and referral. Individuals will be provided vocational rehabilitation counseling and guidance to assist such individuals in preparing for, securing,



retaining, or regaining employment, and will be appropriately referred to other programs, including other components of the statewide workforce investment system.

## **Attachment 4.11(c)(4) Goals and Plans for Distribution of Title VI, Part B Funds**

In late May 2009 DVR and the SRC identified goals for FYs 2010 – 2012 based on the most recent Statewide Needs Assessment. The Division is presently identifying barriers and developing strategies to overcome these barriers. This work is expected to be complete in September 2009 to start identified strategies at the beginning of FY 2010. The goals identified that will improve the efficient use of Title VI, part B funds follow.

1. Increase the number of successful employment outcomes and meet or exceed the Federal standard for the rehabilitation rate.
  - a. Explore Innovation and Expansion initiative to better serve individuals with significant mental illness.
2. Serve all individuals eligible for DVR services without a delay.

Priorities for supported employment are services to individuals with most significant disabilities, individuals with long-term mental illness, individuals with traumatic brain injury, and individuals with severe physical disabilities. Since FY 2007, it is projected that three to four hundred individuals will apply for VR services during the next few years will put increased pressure on system resources, as DVR continues to provide services under an Order of Selection.

A collaborative effort, which falls under the goal of continuous improvement, is with the DHHS Office of Adult Mental Health Services, the DHHS Office of Quality Improvement and the Division of Vocational Rehabilitation. DHHS is in the process of adding vocational standards to their licensing process and once the standards are in place DVR and DHHS will be doing joint reviews for compliance with those standards.

3. Review and revise all materials shared with DVR consumers to ensure that they are clear about the agency's purpose and are accessible in multiple formats, including linguistically and culturally.
4. Provide training to VR counselors and community employment service providers, which will increase their vocational rehabilitation skills in serving individuals from specific disability and ethnic populations.

The Division has developed, and made available in each region of the state, a comprehensive training package on supported employment. This training is offered to all new staff, and, as a refresher, to existing staff. The training covers definition, eligibility, assessments, plan development, initiating and monitoring plans, and termination from time-limited services. This training, and ongoing monitoring of casework, provides for greater consistency in the delivery of supported employment services. Having the tools and knowledge generated by the training also makes services more cost effective.

The plan is to continue to purchase services for designated VI-B clients. Service types will continue to be primarily job coaching, transitional employment services for individuals with long-term mental illness, and job development. We will also continue to work with the Association of Persons in Supported Employment and other stakeholders to expand the availability of supported employment services.

## **Attachment 4.11(d) State's Strategies**

In the summer of 2006 the Division of Vocational Rehabilitation started a strategic planning process that elicited input from all staff and develop a strategic plan. In late May 2009 DVR and the SRC identified goals for FYs 2010 – 2012 based on the most recent Statewide Needs Assessment. To continue Maine's Division of Vocational Rehabilitation commitment to provide the "right service at the right time" to its consumers. It is embarking on a major initiative to eliminate the wait list and to provide services to all eligible consumers at the time that they need them to achieve competitive, community-based employment. Maine DVR is evaluating each interface point with its consumers. DVR has identified these points as: "Entering the VR System", "VR Plan Development", "VR Plan Accomplishment" and "Exiting the VR System". Specific strategies and tasks that will lead us to achieving these goals, will be identified and evaluated over the next 3 years, such as the work evolving from the teams already working on the Wait List Project.

The Division is presently identifying barriers and developing strategies to overcome these barriers. This work is expected to be complete in September 2009 to start identified strategies at the beginning of FY 2010.

### **Expanding and improving Services**

The goals identified in Attachment 4.11 (c)(1) are;

1. Increase the number of successful employment outcomes and meet or exceed the Federal standard for the rehabilitation rate.
  - a. Explore Innovation and Expansion initiative to better serve individuals with significant mental illness.
2. Serve all individuals eligible for DVR services without a delay.
3. Review and revise all materials shared with DVR consumers to ensure that they are clear about the agency's purpose and are accessible in multiple formats, including linguistically and culturally.
4. Provide training to VR counselors and community employment service providers, which will increase their vocational rehabilitation skills in serving individuals from specific disability and ethnic populations.

In the areas of un-served and underserved groups, existing disability population statistics suggest that Maine has a large population of individuals with disabilities, including those receiving SSI and/or SSDI, who might benefit from services through DVR. Additionally, two other groups were identified in the assessment that should be anticipated as needing VR services in the future. The first is students with disabilities identified by the Department of Education as needing career services and education upon exiting high school. Many of these students have been identified as having Autism Spectrum Disorder.

While the population of other minority groups is slowly increasing in Maine through resettlement programs and migrant employment, DVR outreach has not always been accepted or understood. DVR staff could benefit from continued cultural sensitivity training specific to the individuals in Maine, like the Somalis in Lewiston.

5. Develop an MOU with the Veteran's Administration.

The other group is Veterans returning from Iraq and Afghanistan who have sustained injuries and are in need of vocational rehabilitation services.

6. Review and update the MOU with the Department of Education's Office of Special Services. The present MOU is 10 years old and needs to be updated. Services to transition age youth with disabilities and the cooperative services between the AT Grantee Maine CITE and DVR will be addressed.

Maine DVR is located in the Department of Labor and co-located in the one-stops known as CareerCenters. Each CareerCenter has a core team that addresses each workforce agency working together. The CareerCenters have classes, computer labs and job fairs with the local business entities that are attended by DVR consumers.

## **Ongoing strategies**

### **Self-Employment**

Maine DVR maintains its partnership with the Division for the Blind and Visually Impaired (DBVI), the University of Southern Maine/Maine Small Business Development Centers (Maine SBDC) and Coastal Enterprises, Inc., (CEI), a micro-enterprise development organization, to develop and implement a coordinated self-employment initiative designed to assist potential entrepreneurs with disabilities in Maine. This resource remains critical across the state in supporting consumers in their quest toward sustainable self-employment. The initiative has been growing slowly since its inception each year the number of participants equals or exceeds the previous year. At the end of FY 2008; consumers 31 had IPEs with a goal of self-employment, 79 consumers were in active status and 29 were closed successfully. The rehabilitation rate for individuals with the goal of self-employment is 69%.

### **State Rehabilitation Council**

The I & E funds support the activities and administration of the Statewide Rehabilitation Council (SRC) for the Division meets monthly as a full council. The SRC has several sub and or ad-hoc committees that meet regularly. The committees are; Ad-hoc Committee on Mental Illness and Employment, SRC-DVR Policy Group, CSPD Subcommittee, Membership, and the Website committee. For more information regarding the SRC please visit [www.mainesrc.org](http://www.mainesrc.org).

### **Section 121 Grant**

DVR has long attempted to provide services to the state's Native Americans. The Assistant Director of DVR was very active in working with the Houlton Band of Maliseet Indians who succeeded in winning a five year grant under Section 121 in FY 2009 to provide vocational rehabilitation services to Maine's Indian Tribes in accordance with their culture and native resources. He provided technical assistance to the tribes in their previous grant applications and worked on the MOU as well as participated in the hiring team after the grant was awarded. DVR staff will continue to work closely with the Maine Indian Tribes, including the Passamaquoddy Tribe, the Penobscot Indian Nation, the Houlton Band of Maliseets, and the Aroostook Band of Micmac Indians. At this time a Memorandum of Understanding (MOU) has been signed between the Tribe and the Divisions of Vocational Rehabilitation and the Blind and Visually Impaired. The Executive Director, Kelly Osborn, has been hired and is applying for membership to two State Rehabilitation Councils and The Statewide Independent Living Council. She is also in the process of recruiting staff.

## **Attachment 4.11(e)(2) Evaluation and Reports of Progress Vocational Rehabilitation (VR) and Supported Employment (SE) Goals**

### **Evaluation of DVR State Goals for 2007- 2009**

- Increase the number of successful outcomes and meet or exceed the Federal standard for rehabilitation rate.

This was a primary goal chosen by DVR staff to be worked on in our strategic planning process that began in 2006. The year goal was to increase successful outcomes to meet Federal Standard and Indicator 1.1 by September 30, 2007.

The Division has consistently met the Standard 1.1 since that time In FY 2008 DVR had 730 successful outcomes. One strategy that has improved this outcome is a quarterly report generated in central office that informs each office which consumers have been in status 22 for over 90 days.

The ongoing goal was continue an increase in successful outcomes and attain a rehabilitation rate of 55.8 percent. The ability to attain the S & I standard has been more difficult in FY 08 was 49.06%.

### **2008 Goals**

1. Develop a case review and casework oversight systems that support effective case management and the movement of individuals to high quality outcomes.  
The case review and casework oversight system have been in place for over a year now. Open cases are reviewed by supervisors on an ongoing basis. Closed cases are reviewed in Central Office on a quarterly basis.
2. Enhance the flow of communication across the agency using new technologies.  
The teleconferencing system is an integral part of DVR's facet of communication for meetings and training. New equipment allows training/meetings to be recorded for later viewing. An arrangement with the University of Maine at Augusta to use its bridging capabilities has multiplied not only the number of sites that can be connected but also the training and communication opportunities.
3. Continue collaboration with the Commission on Disability and Employment and the Maine Jobs Council increase awareness and promote the employment of Maine residents with disabilities.  
A Bureau staff member sits on the Commission as well and at least one SRC member. This allows free flow of information to more than one agency. The Maine Jobs Council continues to support Mission Transition an activity that introduces youth with disabilities and their parents to service providers including VR.
4. Evaluate the progress of the comprehensive assessment of rehabilitation needs work plan.  
The Procedural Directive on Comprehensive Assessment of Rehabilitation Needs (CARN) was in place December 2007. Individuals found eligible after that date began coming off the wait list on June 2008. Casework Supervisors have regular scheduled evaluation of individual counselors the CARN is evaluated at that level and corrective action is taken as needed. A comparison of the number of plans developed as of 04/08 and 04/09 shows an increase of 26 %. It is still too early to evaluate if a consumer has spent less time in the system and is in appropriate employment. The average time a consumer needs to complete an IPE is two years.
5. Explore new options to recruit and retain qualified staff.  
DVR continues offer placement for individual working on their internships for a Master's in Rehabilitation Counseling, as vacancies permit. In FY 09 DVR employed two interns through their internships. This is a practice is seen as very beneficial to the agency. Each internship

inquiry is evaluated individually based on skills, needs and available resources.

The University of Southern Maine Master's program is an in-state option for staff pursuing a Master's degree. Unfortunately, USM no longer has RSA grant funding to rehabilitation program participants. Maine DVR lacks sufficient resources to pay educational/training costs associated in its efforts to develop and maintain a fully qualified staff and, as such, conducts on-going surveys of distance educational programs that offer RSA grant funding to participants. Currently Maine DVR has one Vocational Rehabilitation Counselor (VRC) enrolled in the University of Wisconsin-Stout Masters in Rehabilitation On-Line graduate program, and eight VRCs enrolled in the University of Virginia-Commonwealth Rehabilitation On-Line graduate program. In total, Maine DVR has 9 VRCs enrolled in distance education programs.

As stated in the CSPD attachment, four VRCs and 1 Casework Supervisor completes the Master's in Rehabilitation Counseling graduate program at Assumption College. Additionally, one VRC successfully passed the CRCC exam.

6. The statewide transition counselor group will work with the Committee on Transition to increase statewide knowledge of service to youth in transition.  
The Transition Counselor Advisory group meets regularly and interacts with the local Counsels on Transition (COT). The Counsels are integral in planning and implementing the Mission Transition event each year. At Mission Transition students and their parents attend employer panels, meet with service providers and post-secondary representatives to start planning for life after high school.
7. Explore Assistive Technology (AT) resources for DVR consumers in Maine.
  - Identify AT Demonstration and Loan programs statewide  
Maine CITE is the grant holder of the State Grant for Assistive Technology. Kathy Powers of Maine CITE made a presentation to the SRC about AT and the vendors that provide assessment and AT in Maine. A demonstration and loan program for AT is the Technology Exploration Center (TEC) that provides both. VRCs have found purchasing a membership a consumer has been very helpful in his/her learning to use Assistive Technology. The director of TEC, Lynn Gitlow is a member the SILC. She gave a presentation to the SILC at its Annual meeting.
  - Improve AT expenditures reporting.  
In March 2009, all DVR staff were trained in the need coding system in the client information system ORSIS (Office of Rehabilitation Services Information System). This training was developed ensure consistent coding of VR services statewide. One aim of the training was to clarify what is an AT service and what is not i.e. a standard computer for a college student is not AT however voice activated software is.

Identify all supported employment program goals consistent with the goals described in Attachment 4.11(c)(4), including an evaluation of the extent to which the supported employment program goals were achieved.

Included in 2008 Goals and Strategies

**1. Implement DHHS OAMHS/BRS MOU.**

DVR continues to work closely with Office of Adults Mental Health Services on implementation of the MOU. OAMHS has completed an RFP to hire employment specialists to work in their Community Service Centers as of April 2008 five of six specialists have been hired. In the past fiscal year 137 individuals received supported employment services, 86 under Title VI-B funds and 51 under Title I VR funds.

BRS & OAMHS are working together preparing individuals in community programs to transition to work and coming to VR when they are ready to engage in the VR process. A representative of OAMHS regularly attends Division's SRC meetings acting as a liaison between the two departments.

The changes through a Home and Community Based Waiver Program Waiver approved June 1, 2006 and a commitment of general funds increased resources available for the extended support funds for individuals with developmental disabilities. These changes resulted in up to 600 hours of Supported Employment services available per year and expanded the opportunity for extended job supports for an estimated 1400 individuals. The projected three to four hundred individuals who will apply for VR services during the next few years will put increased pressure on system resources, as DVR continues to provide services under an Order of Selection.

**2. Continue collaboration with the Commission on Disability and Employment and the Bureau of Human Resources to ensure compliance with the February 2006 Governor's Executive Order, which charges state government to become a model employer of individuals with disabilities.**

The Department of Labor has agreed to one Transitional Employment job within its central office. The start date for the position is by July 1, 2008. This position is in conjunction with the Capitol Club House in Augusta one consumer held this position in the past year a second individual with appropriate skills and interest is being sought. As of April 2009, the position for a special appointments position in the Bureau of Human Resources is still unfunded.

**3. Explore a statewide initiative with Community Rehabilitation Providers to increase the employment of individuals with disabilities.**

DVR staff worked with 20 CRPs over the past year. Most of the work was site visits for 3 year approval; 5 involved document reviews for 1 year provisional approval; 1 involved a transfer from CARF to our In-State Process.

DHHS is in the process of adding vocational standards to their licensing process. Once the standards are in place, we will be doing joint site reviews for compliance with those standards. BRS pushed for this to happen and just secured their agreement this past winter.

## **Provide Assessment of the performance of the VR program on the standards and indicators for the most recently completed year.**

In FY 2008 Maine DVR passed 5 the indicators in Standard 1 and all the Primary standards were met. The unmet indicator was 1.2 Rehabilitation Rate. The percentage for FY 2008 was 49.03% DVR has addressed this in the 2010-2012 goals by meeting or exceeding both indicators 1.1 and 1.2.

Standard 2 Minority Service 2.1 was 75% which does not meet the standard, however there more than 150 individuals identified as minorities who exited the VR system. Maine does not have large minority diversity. Outreach is also addressed in our 2010-2012 goals to make our agency's materials accessible in multiple formats, including linguistically and culturally.

We also, supported and participated in the development of a Section 121 grant with the Maliseet Indians that was awarded. We are now working closely with the Section 121 grantee, the Wabanaki Vocational Rehabilitation Program, to expand vocational services to Maine Native Americans with disabilities.

## **Evaluation of Innovation and Expansion funds**

Maine DVR has supported the following innovation activities.

### **Self-Employment**

Maine DVR maintains its partnership with the Division for the Blind and Visually Impaired (DBVI), the University of Southern Maine/Maine Small Business Development Centers (Maine SBDC) and Coastal Enterprises, Inc., (CEI), a micro-enterprise development organization, to develop and implement a coordinated self-employment initiative designed to assist potential entrepreneurs with disabilities in Maine. This resource remains critical across the state in supporting consumers in their quest toward sustainable self-employment. The initiative has been growing slowly since its inception each year the number of participants equals or exceeds the previous year. At the end of FY 2008; consumers 31 had IPEs with a goal of self-employment, 79 consumers were in active status and 29 were closed successfully. The rehabilitation rate for individuals with the goal of self-employment is 69%.

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State Rehabilitation Councils and The Statewide Independent Living Council. She is also in the process of recruiting staff.

## **Attachment 6.3 Quality, Scope, and Extent of Supported Employment Services**

The Division continues to take steps to ensure the quality of Supported Employment. Through our management information system reports provide information on weekly wages, hours worked, and public assistance at the time of application and closure. The reports also provide information on the type of disabilities being served, the cost per case, and the average cost by counselor, region, and state. Planning is under way to coordinate with both Developmental Services and Mental Health Services to work with DVR in tracking of employment outcomes. We are able to document individuals who are eligible for VR, but who lack long-term support preventing plan development.

Maine continues to strive to improve the quality of supported employment services through the provision of various training opportunities. The Division has developed, and made available in each region of the state, a comprehensive training package on supported employment. This training is offered to all new staff, and, as a refresher, to existing staff.

We have identified minimum training requirements for new CRPs to become approved providers. CRPs must provide evidence that all Employment Specialists and Job Coaches have completed the Maine Employment Curriculum (MEC) or other BRS approved training curricula. The MEC is designed specifically for providing training in Supported Employment for Employment Specialist and job coaches in the Community Rehabilitation Provider sector, is a collaborative effort with the Maine Department of Health and Human Services (DHHS) through the University of Maine, Center for Community Inclusion. It is our expectation that this training requirement, along with other established standards for service provided through the Commission on Accreditation of Rehabilitation Facilities (CARF) and our in-state accreditation process, will improve services to all our consumers.

The CARF and In-State approval process for CRPs consists of a number of facets such as reviewing policies and procedures that reflect knowledge and application of quality supported employment services in adherence to APSE standards for Supported Employment. Areas evaluated are; mission statement, admission criteria, policy and practice on Assessments, case coordination, client input, health and safety issue, human resource issues such as staff qualifications and background checks, client rights and appeal procedures. Other parts of the approval process include interviews with key stakeholders such as clients, employers, funding agents, etc.

### **1. Scope of Supported Employment**

The primary service provided to clients in supported employment continues to be Assessment, Job Placement and Job Skills Coaching. These direct services are provided by an Employment Specialist or a Job Coaches, who supports the client through activities such as: intervention with supervisors and peers, and aids integration into the company's social environment. Other allowable services that are provided when a need is identified include supplemental assessments, social skills training, observation or supervision of the individual, transportation, and facilitation of natural supports. The Division provides whatever is required to achieve and maintain integrated competitive employment.

Based on ongoing commitments from the DHHS Office Adult Mental Health Services to provide extended support to all individuals using the supported employment model when they have stabilized and are ready for extended support, the DVR continues to expand the percentage of individuals with long-term mental illness who require ongoing supports to sustain employment. Changes through the DHHS approved June 1, 2006 increased resources available for the extended support funds for individuals with developmental disabilities. This results in up to 600 hours of Supported Employment services available

per year expanding opportunity for extended job supports for an estimated 1400 individuals. We anticipate three to four hundred of these individuals will be applying for VR during the next year. This will put increased pressure on system resources, as the Division has been under an Order of Selection for a number of years

The Division continues to receive state funds to provide extended support to individuals with traumatic brain injuries. We estimate that up to 25 individuals with traumatic brain injury will be able to participate in supported employment using state funded extended support. In FY 2008, 10 new consumer were in referred 9 are in plans and 9 were closed. We also administer the state funded Basic Extended Support Program that purchases extended support for all disability groups. IN FY 2008 51 individuals were supported by these funds. Presently, the disability groups this program funds include individuals who are visually impaired, individuals with cerebral palsy, and individuals with physical disabilities.

Transitional employment is also available to individuals with chronic mental illness. Transitional employment recognizes that persons with mental illness, in some cases, can learn a skill at a community based training site and transfer those skills to an actual work site. It also recognizes that the primary need is not always job skills training but emotional support, reinforcement, and evaluation of the client's mental health.

## **2. Extent of Supported Employment Services**

The number of supported employment clients is expected to increase as a direct result of the DHHS Waiver with the inclusion of employment services for individuals with Developmental Disabilities. It is expected that DVR will have an increase of 300 – 400 referrals in the next year and similar increases over the next two to three years. DVR will look closely at the true need for ongoing supports and reserving this model for those with the most severe disability. There were a number of individuals that benefited from the “place – train” model without necessarily needing the extended supports. There is also greater emphasis on natural supports.

## **3. Timing of Transition to Extended Services**

The Division's rules state “the maximum time period for DVR time-limited services is eighteen (18) months, unless the IPE indicates that more than eighteen (18) months of services are necessary in order for the individual to achieve job stability prior to transition to extended services” In day-to-day practice, a team approach is used to determine when an individual is ready to transition to extended support.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number of this information collection is 1820-0500. The time required to complete this information collection is estimated to average 25 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4760. If you have any comments or concerns regarding the status of your individual submission of this form, write directly to: Carol Dobak, Chief of the Vocational Rehabilitation Program Unit, Rehabilitation Services Administration, U.S. Department of Education, 400 Maryland Avenue S.W., PCP, Room 5014, Washington, D.C. 20202.

# Maine Division of Vocational Rehabilitation Comprehensive Statewide Needs Assessment

## I. Introduction:

### A. Purpose of Comprehensive Needs Assessment

Maine Division of Vocational Rehabilitation (DVR) assists eligible individuals with disabilities to prepare for, achieve and retain employment in integrated community settings. DVR administers the General Vocational Rehabilitation program in Maine for the Rehabilitation Services Administration. A separate program is available to individuals who are blind or have visual impairments through the Maine Division for the Blind and Visually Impaired. This comprehensive needs assessment focuses on the General Vocational Rehabilitation program and on the needs of individuals eligible for those services.

The assessment is designed to answer important questions about the population eligible for DVR services that live in Maine and their vocational rehabilitation needs. It will guide in its strategic plan and goal development for the next three fiscal years, 2010 – 2012. Specifically, the report responds to federal regulations<sup>1</sup> requiring Maine's Division of Vocational Rehabilitation (DVR) to jointly conduct a "comprehensive statewide assessment" with the State Rehabilitation Council (SRC) every three years that describes the rehabilitation needs of individuals with disabilities residing within the State, particularly the vocational rehabilitation services needs of:

1. individuals with the **most significant disabilities**
2. individuals with disabilities who are **minorities** and individuals with disabilities who have been **unserved or underserved by the vocational rehabilitation program**
3. individuals with disabilities **served through other components of the statewide workforce investment system** as identified by those individuals and personnel assisting those individuals through the components of the system.

To address these issues, we rely on a variety of publicly available sources, including survey information from the United States Census Bureau and data from the Rehabilitation Services Administration and the Social Security Administration. We also gathered information through the Fall 2008 Consumer Satisfaction Survey, a forum held by the State Rehabilitation Council (SRC) for individuals placed in employment at its annual meeting, and did additional outreach to seventeen stakeholder groups to examine the services delivered to people with disabilities in Maine.

### B. Description of Division of Vocational Rehabilitation and the Vocational Rehabilitation Process

The Division of Vocational Rehabilitation (DVR) is an agency within the Bureau of Rehabilitation Services (BRS) located within the Department of Labor (DOL). The mission of BRS is to provide full access to employment, independence and community integration for people with disabilities. The Division of Vocational Rehabilitation provides services that are governed by the federal Rehabilitation Act of 1973 as amended, by working together with individuals with disabilities to achieve or maintain gainful employment.

Federal statute mandates that each applicant entering the publicly funded program follows an individual process from application through eligibility, comprehensive assessment of rehabilitation needs, individual employment plan development, and provision of appropriate services to achieve employment. Any individual with a disability and a commitment to find or maintain employment may apply. Each applicant can expect an eligibility decision within 60 days of application. An individual is eligible for DVR services if that person:

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<sup>1</sup> 34 CFR 361.29

- ♦ has a physical or mental impairment which, for the individual, constitutes or ***results in a substantial impediment to employment*** (Note: Substantial impediment to employment means that a physical or mental impairment hinders an individual from preparing for, engaging in, or retaining employment consistent with the individual's abilities and capabilities); and
- ♦ ***requires vocational rehabilitation services to prepare for, secure, retain, or regain employment*** consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. Required VR services must be necessary to overcome disability related barriers. Lack of resources by itself does not constitute a disability related barrier.

In addition, there is a ***presumption of benefit***. It shall be presumed the individual can benefit in terms of an employment outcome from vocational rehabilitation, unless the DVR counselor can demonstrate by clear and convincing evidence that such individual is incapable of benefiting from vocational rehabilitation services due to the severity of the disability of the individual.<sup>2</sup> Individuals who receive SSI and/or SSDI are presumed to be eligible for DVR services.

DVR uses a set of "status" codes to track an individual's progress as they move through the VR process. This allows both the state agency and federal agency, Rehabilitation Services Administration (RSA), to collect data to ensure timely service delivery and fiscal accountability.

Each individual who applies for services has a determination of eligibility and works with a qualified VR counselor and others to determine an employment goal and the appropriate services necessary to achieve that goal. The Individual Plan of Employment may include guidance and counseling, training, education, job search, and job placement among other things. Every applicant coming to DVR has different abilities, goals, expectations and barriers to employment; therefore, each plan is individualized for each eligible consumer. The successful conclusion of the VR process is an individual working in a job consistent with their capabilities for 90 days with the supposition of continued employment. No consumer's path is the same and the process is flexible enough to attend to new barriers as they arise.

In 2002, Maine's DVR was forced to implement a waiting list for all individuals found eligible for services. By federal statute, any VR program that institutes a wait list must also implement an Order of Selection. Under the Order of Selection, eligible individuals are assigned to a priority category, based on the severity of their disability and vocational barriers. The highest priority, Category 1, is given to individuals with the most significant disabilities and highest level of rehabilitation needs. Categories 2 and 3 are assigned to individuals with disabilities, but who have fewer functional limitations or less complex rehabilitation needs than those in Category 1.<sup>3</sup> Time on the waiting list peaked at 53 weeks in June 2005 and had been reduced to 26 weeks for individuals in Category 1 at the time of this assessment.

Maine's Division of Vocational Rehabilitation sees this as unacceptable and is embarking on a major initiative to eliminate the wait list and provide the "Right Service at the Right Time" to its consumers. Areas being assessed are the consumers' progress through the system in: "Entering the VR system", "VR Plan Development", "VR Plan Accomplishment" and "Exiting the VR System". The goal is to provide services to all eligible consumers at the time that they need them to achieve competitive community based employment.

While in the mandated Order of Selection, Maine DVR provides information and resource advice to individuals on how they can prepare, secure or regain employment, including how to use the Career Centers that have a range of free employment services such as a Job Bank, workshops and the availability of Disability Program Navigators. With the help of the State Rehabilitation Council, a pamphlet entitled "While You Are Waiting" was developed and is used for planning steps an individual can take until DVR has sufficient funds available to provide services through an Individualized Plan for Employment (IPE). The pamphlet is available in a variety of formats.

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<sup>2</sup> Maine Department of Labor, Division of Vocational Rehabilitation *Policy Manual* 2007 Final Rules  
Last Amended October 25, 2008 <http://www.maine.gov/rehab/dvr/vr.shtml> Downloaded March 19, 2009

<sup>3</sup> Ibid.

While helping individuals obtain employment is the ultimate success of the VR program, many VR cases are closed each year before the individual achieves and maintains employment for at least 90 days. These closures happen for a variety of causes and can occur at any step in the VR process. Some individuals who apply are found not eligible because they do not have a qualifying disability. Others, after being found eligible, leave the VR program for several reasons, such as they find employment on their own, have an exacerbation of a chronic condition, do not want to remain on the waiting list, or cannot be located by their VR counselor for an extended period of time. Everyone who applies for VR services has the right to appeal any decision made by the agency, including the decision to close a case.

Individuals can receive further support through post-employment services after becoming successfully employed if services are necessary to maintain, regain or advance in employment. This assistance is limited in scope to two or less services and duration of six months or less. If more comprehensive services are required, and/or there is a new disabling condition and/or it has been longer than three years since the case was closed successfully, a new application for DVR services must be completed.

## **II. BACKGROUND**

### **A. Maine's Economy and Workforce**

Maine is a large geographical state, which spans 33,215 square miles. The state is primarily rural in nature with a dispersed population of 1.3 million people and density of 41 people per square mile. The largest population center can be found in southern Maine in the greater Portland area where approximately 87,300 individuals reside. The state's population growth is largely dependent upon in-migration and is significantly slower than the rest of the country with a rate of 3.7% between 2000 and 2006 as compared to the national rate of 6.4%.<sup>4</sup>

Historically, Maine's economy has been based on goods producing industries, such as manufacturing and natural resources, but the trend to a service-based economy has continued over the last several years. This combined with the influences of globalization, technological advances and business restructuring, places different demands for the skills and abilities of Maine workers.

At the time of this report, Maine and the nation was in a recession that the Bureau of Economic Research determined began in December 2007. Unemployment rates had reached levels not seen since the early 1990's. The Maine Department of Labor (MDOL) reported at the end of 2008 that the number of jobs in Maine was down 1.3% and that the unemployment rate was up to 6.3%. The fastest rate of job losses was in construction, but significant losses were seen in other sectors, such as wholesale and retail trade, accommodation and food services and real estate.<sup>5</sup>

Wages in Maine are lower than the rest of the country with a median wage of \$14.29 per hour as compared to \$15.10 per hour nationally and \$17.19 per hour for other New England states. Recent spikes in the cost of gas, food and heating fuel and adjustment for inflation have resulted in Mainers losing even further ground in attaining a livable wage.<sup>6</sup>

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<sup>4</sup> Wise, Kurt and Sarah Richards. September 2008. *State of Working Maine 2008*. Maine Center for Economic Policy. <http://www.mecep.org/view.asp?news=412> Retrieved January 27, 2009.

<sup>5</sup> Maine Department of Labor. December 2008. *Research Brief: Maine's Job Performance from the Beginning of the Recession through November 2008*. <http://www.maine.gov/labor/lmis/pdf/Maine's%20Job%20Performance.pdf> Retrieved January 27, 2009.

<sup>6</sup> Wise, Kurt and Sarah Richards. September 2008. *State of Working Maine 2008*. Maine Center for Economic Policy. <http://www.mecep.org/view.asp?news=412> Retrieved January 27, 2009.

Maine is the state with the most aged population in the country with a median age of 41.1 years. Relative to that, the distribution of its workforce is also older with 20.3% of its workers being Age 55 or older. The anticipated retirement of baby boomers indicate a critical need to replace those workers in the future. Studies of educational attainment show that Maine has a larger percentage of high school graduates and individuals with some college than many other states, but fewer college graduates. Maine's workforce has little ethnic diversity with over 95% being white, although there has been a slight combined increase of 1% of workers who are Hispanic, Asian/Pacific Islander and African American.<sup>7</sup>

On the short term, employment for all of Maine's civilian labor force (estimated to be 707,000 individuals in November 2008), is in a down turn and making it even more difficult for people with disabilities to obtain and sustain community-based employment. Fortunately, the long term outlook appears more promising and the unique demographics in Maine will offer opportunities to under-represented populations in the workforce, including workers with disabilities.

## **B. Federal and State Landscape of Vocational Rehabilitation**

Demand for community inclusion and access to employment for people with significant disabilities remains strong across the country. Legislation, including the Rehabilitation Act, the Americans with Disabilities Act, the Workforce Investment Act, and the Ticket to Work and Work Incentives Improvement Act, has continued to shape the opportunities available to individuals with disabilities in their communities. Consumer choice, transition of youth to adulthood, and expanded responsibility of State Rehabilitation Councils and Independent Living Councils are core pieces that are connected to employment, education, and training to assist people with disabilities in achieving full community participation. Even so, the employment of people with disabilities as one key component of community involvement remains extremely low. According to Cornell University in 2007, nationally only 36.9% of working-aged people with disabilities were employed as compared to 79.7% of their non-disabled peers. The rates are comparable in Maine with 38.6% working-aged people with disabilities employed as compared to 83.3% of non-disabled peers that same year.

Of great concern at the time of this report is the economic recession mentioned above and its impact on the employment of people with disabilities. Not only are fewer jobs available, but services are being cut as agencies receive less funding. In Maine, State Government was forced to curtail expenditures in 2008 and was grappling with anticipated deficits in 2009 through 2011. Federal funding for DVR is fixed by a formula based upon population growth and state average population, and established by Federal appropriation with approximately a four to one state match. Although the Division has historically been successful in meeting the state match and maintenance of effort requirements, this might not be possible in 2010 and 2011 as result of across the board state budget cuts. Current projections are that DVR funding, both State and Federal combined, will lose \$1,336,503 in SFY 2010 and \$1,229,729 in SFY 2011.

## **C. Availability of Employment-Related Services to People with Disabilities in Maine**

As highlighted by the Maine Jobs Council's Commission on Disability and Employment in their 2008 Annual and Progress Reports, many efforts in Maine attempt to address the availability of employment-related services to people with disabilities. With funding from a variety of sources, such as the Medicaid Infrastructure and Work Incentive Grants, initiatives are underway that are designed to increase the access to employment for people with disabilities through the engagement of employers, preparation of young people with disabilities from school to work, provision of accurate and timely benefits counseling, and the improvement of services provided to people with disabilities at Maine's CareerCenters through Disability Program Navigators. Additionally, revisions in Social Security Administration's Ticket to Work Program in July 2008 hold promise for increasing the availability of employment services to individuals who receive SSI and/or SSDI through Employment Networks.

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<sup>7</sup> Ibid.

Clearly, individuals with disabilities often need a broad array of services and supports to reach and maintain their vocational goals. The Division of Vocational Rehabilitation is an important part of this service system, but it is only one component of the larger system in Maine that includes the Departments of Labor, Education, and Health and Human Services and numerous private non-profit agencies. Each month the Office of Adult Mental Health Services provides long term vocational support to an average of approximately 150 individuals with mental illness, and the Office of Adults with Cognitive and Physical Disabilities similarly provides employment supports to over 900 individuals through Medicaid waiver funding. Reports from the Bureau of Employment Services also indicate that the number of people with disabilities getting CareerCenter services each year is increasing, from 2,822 in 2006 to 4,525 in 2008, although it is notable that the percentage of people with disabilities served as part of the larger CareerCenter customer population remains relatively unchanged at 7.5%.

Maine lacks an employment services data collection system that compiles information across departments or organizations, so it is unclear how the system works as a whole in serving people both individually and collectively. Additionally, for some employment services, such as that provided by the Bureau of Employment Services, disclosure of a disabling condition is not required and relies upon the self-reporting of individuals using the service. Hence, disability data may be inaccurate or incomplete.

### **III. DVR SERVICES TO INDIVIDUALS IN MAINE**

The Division of Vocational Rehabilitation collects a variety of information about individuals when they enter the program, tracks the progress and services they receive, and records a successful closure of the case if the individual successfully completes at least 90 days of employment in an integrated, competitive setting. In this section, we use DVR data to provide an overview of the characteristics of the current VR population, to describe the flow of individuals into and out of the DVR program, to examine outcomes of the VR program in terms of rehabilitation rates, and to outline the costs of DVR services from FFY 2003 through 2008.

#### **A. DVR Population Characteristics**

Examining data collected about individuals who have moved through the DVR process to closure yields valuable information about the population served. In Federal Fiscal Year (FFY) 2005, Maine DVR closed a total of 2,847 cases and in FFY 2008, Maine DVR closed a total 3,604 cases, an increase of 21%.<sup>8</sup> Table 1 outlines the characteristics of the individuals represented among all closed cases in both years, the percentage change in the number of clients with a given characteristic (fifth column) and the change in the proportion of clients with a given characteristic (last column).

##### *Findings*

- As part of the eligibility determination process, DVR staff record applicants' primary disability type. In FFY 2008, there were 1,289 (36%) cases closed where the individual had a mental illness, 1,102 (31%) with a cognitive disability, 850 (24%) with a physical disability, and 265 (7%) where the individual had a sensory disability, including either hearing or visual impairments. A small fraction (3%) of closed cases were for individuals with no impairment (and who were deemed ineligible for services.)
- The majority (58%) of cases closed in FFY 2008 were for people between the ages of 23 and 54, although a substantial portion (29%) were transition-age individuals under age 23 at the time they applied for VR services.
- More than 4 out of 10 cases closed were for clients who did not have a high school diploma or GED at application, and almost 8 out of 10 did not have more than a high school education.
- There continue to be more men than women (58% versus 42%) receiving VR services.
- The vast majority (97%) of the VR population is White, and only 3% are members of a racial or ethnic minority.

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<sup>8</sup>Closures in Table 1 include all types of closures, including successful closures as well as cases where the individual was found not eligible, left the wait list, found their own employment, did not complete their VR plan, etc.



- In FFY 2008, there were 735 (20%) cases closed for individuals who received Supplemental Security Income or SSI. In addition, 870 or 24% received Social Security Disability Insurance (SSDI).
- Between FFY 2005 and 2008, there were several notable changes in both the characteristics of the DVR population.
  - Continuing a trend observed in the previous needs assessment, both the number and proportion of cases closed for individuals with cognitive disabilities have continued to increase; there were 785 individuals with cognitive disabilities in FFY 2005, and 1,102 in 2008, an increase of 29 percent. Cognitive disabilities actually overtook physical disabilities to become the second most common type of disability among DVR clients.
  - While older adults make up a relatively small part of the entire VR population, their numbers grew substantially from FFY 2005 to 2008. There were only 182 cases closed for adults over age 55 in 2005, and that number grew by more than sixty percent to 462 in 2008.

TABLE 1

**Maine Division of Vocational Rehabilitation  
Individual Characteristics for Closed Cases, FFY 2005 and 2008**

	FFY 2005		FFY 2008		% Change in # of Closures 2005 - 2008	Change in % of Closures 2005 - 2008
	Number	Percent	Number	Percent		
	(A)	(B)	(C)	(D)	(C-A)/C	(D - B)
<b>All Closures</b>	<b>2,847</b>	<b>100.0</b>	<b>3,604</b>	<b>100.0</b>	<b>21.0</b>	<b>0.0</b>
<b>Primary Disability Type</b>						
No impairment	58	2.0	98	2.7	40.8	0.7
Sensory*	193	6.8	265	7.4	27.2	0.6
Physical	821	28.8	850	23.6	3.4	-5.3
Mental Illness	990	34.8	1,289	35.8	23.2	1.0
Cognitive	785	27.6	1,102	30.6	28.8	3.0
<b>Age</b>						
Less than 23	878	30.8	1,038	28.8	15.4	-2.0
23 - 54	1,786	62.7	2,104	58.4	15.1	-4.4
55 - 65	166	5.8	413	11.5	59.8	5.6
Over 65	16	0.6	49	1.4	67.3	0.8
<b>Education</b>						
Less than HS	1,082	38.0	1,511	41.9	28.4	3.9
HS or equivalent	1,176	41.3	1,349	37.4	12.8	-3.9
Some College	423	14.9	515	14.3	17.9	-0.6
College or more	166	5.8	228	6.3	27.2	0.5
<b>Most recent work experience</b>						
Working at time of application	427	15.0	567	15.7	24.7	0.7
Not working at application	2,420	85.0	3,037	84.3	20.3	-0.7
<b>Gender</b>						
Male	1,617	56.8	2,101	58.3	23.0	1.5
Female	1,230	43.2	1,503	41.7	18.2	-1.5
<b>Race</b>						
White	2,742	96.3	3,503	97.2	21.7	0.9
Racial/ethnic minority	105	3.7	101	2.8	-4.0	-0.9
<b>SSI Income</b>						
Received SSI income	594	20.9	735	20.4	19.2	-0.5
Did not receive SSI income	2,253	79.1	2,869	79.6	21.5	0.5
<b>SSDI Income</b>						
Received SSDI income	668	23.5	870	24.1	23.2	0.7
Did not receive SSDI income	2,179	76.5	2,734	75.9	20.3	-0.7

DVR client characteristic data is for all cases closed during the Federal Fiscal Year. Characteristics are based on information recorded at time of application, unless otherwise noted.

\* Sensory includes deaf/hard of hearing and visual impairments

**Source: Maine DVR Data**

## DVR Process Flow

The VR process begins when a person fills out and submits an application to the Division of Vocational Rehabilitation, and ends with the closure of the case. Chart 1 below outlines the number of individuals who passed through several key steps in the VR process across three federal fiscal years: New Applications, New Plans Developed, and Case Closures. The solid lines in the chart represent incoming individuals, and the dotted lines represent individuals leaving the DVR program (case closures).

### *Findings*

- ♦ The number of new applications has followed an uneven trajectory over the past six years. New applications fell from 3,587 in 2003 down to only 2,278 in 2007 before rebounding back to 3,158 in 2008.
- ♦ The development of new Individualized Plans for Employment (IPE) decreased 30% from 2003 to 2005, from 1,644 in 2003 down to 1,146, but remained about the same from 2005 to 2008.

**CHART 1**

**Maine Division of Vocational Rehabilitation:  
Total Applications, Plans Developed and Closures, FFY 2003 - 2008**

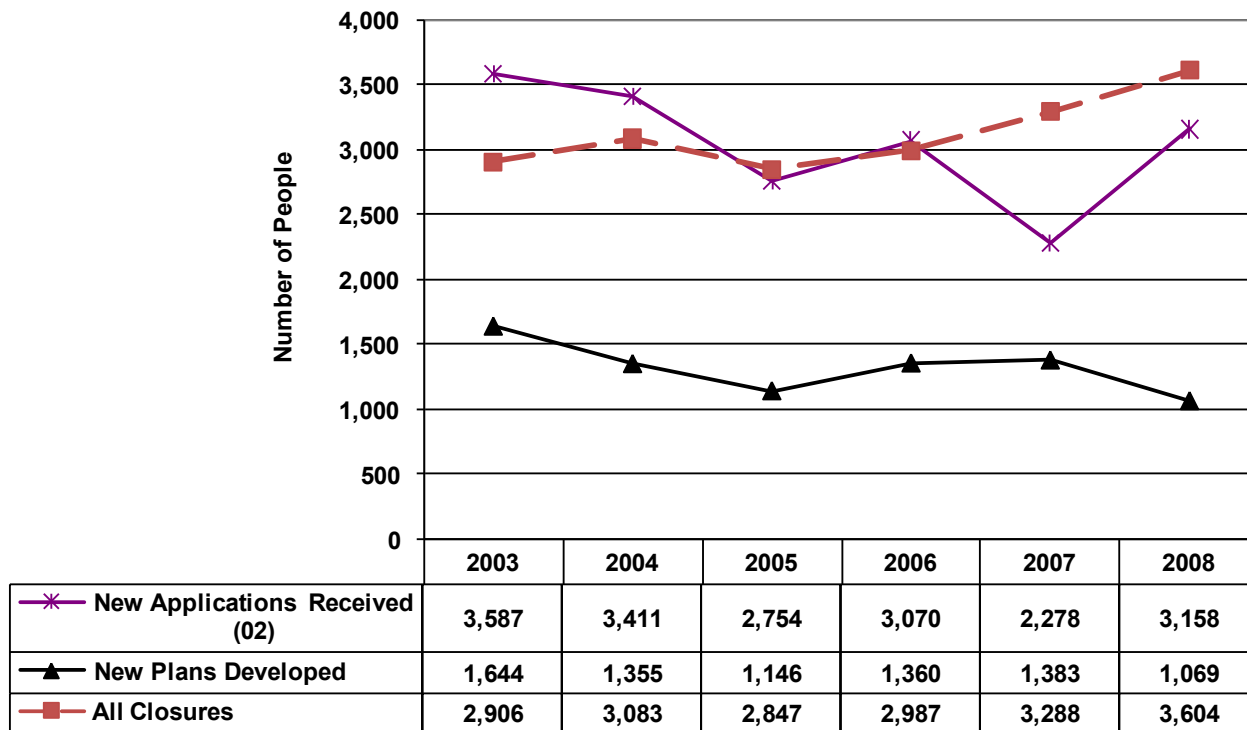
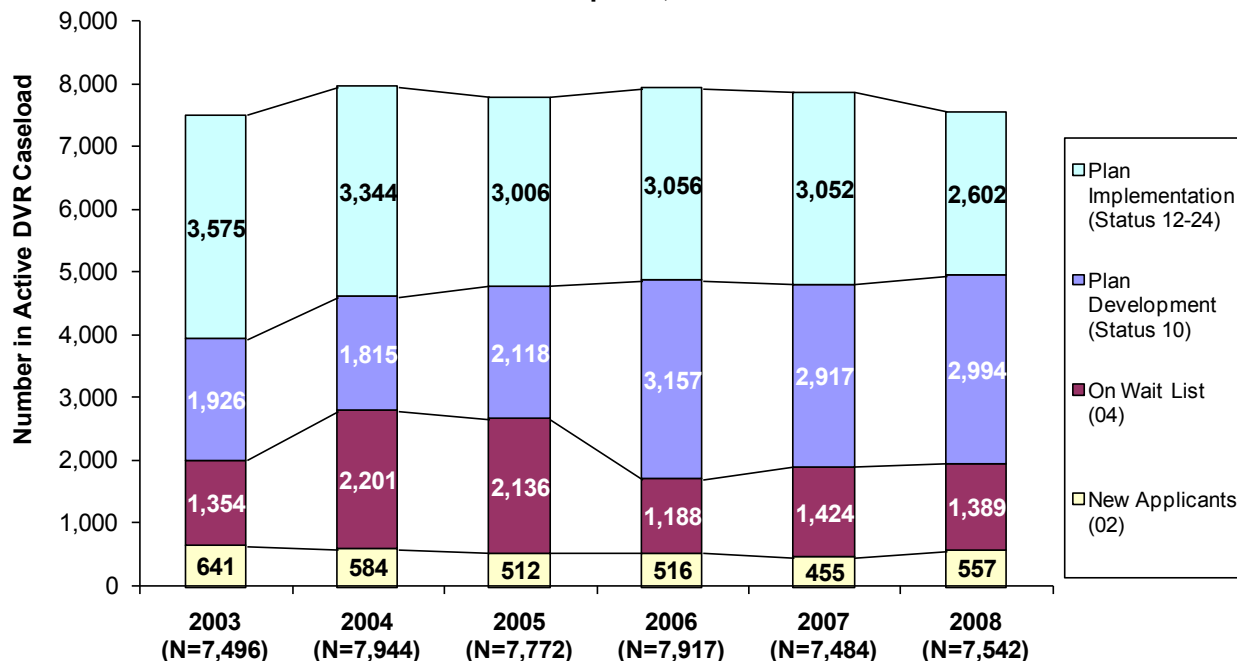


Chart 2 looks more closely at the open DVR caseload (Status 02 – 24) at the end of the Federal Fiscal Year from FFY 2003 to 2008, and breaks out cases by the number of individuals who are: waiting for an eligibility determination (Status 02), on the waiting list (04), off the wait list and in IPE development (Status 10), and the remainder who have completed IPE's and are in plan implementation (Status 12 – 24).

The chart illustrates that, while the total number of active cases has stayed between 7,400 and 8,000 across all six years, the number of clients at each stage in the VR process has shifted. The number on the waiting list increased dramatically from 2003 to 2004, from 1,354 to 2,201, but was reduced even more dramatically in 2006 down to 1,188. However, the number of clients in plan development jumped from 2,118 in 2005 to more than 3,100 in 2006, and remained at similar levels through 2008. A significant ongoing trend across the entire period is the decline in the number of active cases involved in plan implementation. In September 2003, more than 3,500 active cases were in the plan implementation phase of the VR process, almost 50% of all open cases. That number declined to just over 3,000 in 2005, and was only 2,600 in September 2008, representing just over one third of all active cases.

**CHART 2**

**Maine DVR Active Caseload Status:  
End of Fiscal Year Snapshot, FFY 2003 - 2008**



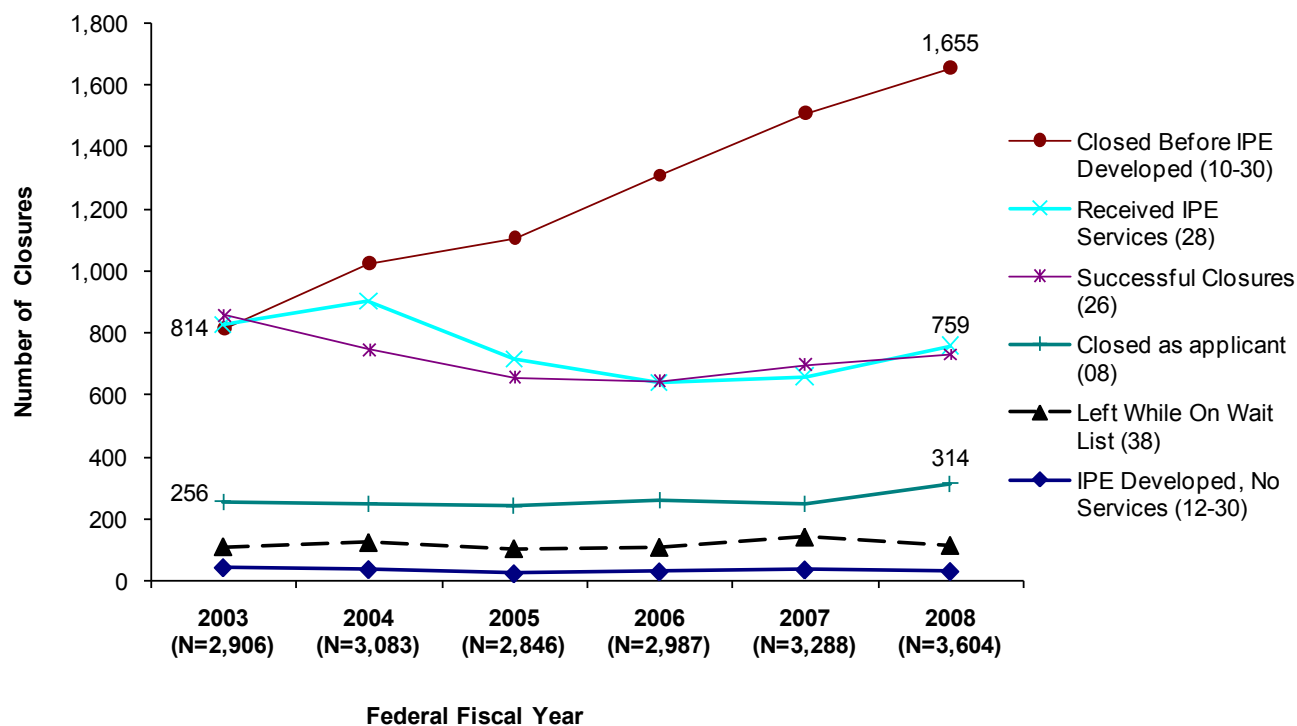
The goal of the VR process is for an individual to achieve and maintain employment consistent with their capabilities. However, many individuals exit the program before reaching that employment goal. Chart 3 details the number of individuals whose cases were closed in Federal Fiscal Years 2003 to 2008, according to the type of closure. The different closure types noted indicate how far in the VR process the individual had progressed when their case was closed.

#### Findings

- ♦ The number of successful closures (Status 26) declined from 2003 to 2006, where it reached a low of 643, but rose in 2007 and again in 2008 when there were 730 successful closures.
- ♦ The number of closures in cases where the individual had developed and participated in an IPE, but did not achieve 90 days of employment (Status 28 closures), followed a similar pattern as successful closures. From a high of 904 in FFY 2004, Status 28 closures declined to a low of 638 in 2006, and then rose to 759 in FFY 2008.
- ♦ The most apparent trend in Chart 3 is the steady rise in the number closures to cases where the individual had been determined eligible but had not yet developed an IPE (Status 10-30 closures). Starting at 814 in FFY 2003, these closures grew by an average of 168 each year, reaching 1,655 in FFY 2008.
- ♦ There were no significant changes among the remaining types of closures during this period.

CHART 3

#### Maine DVR: All Closures by Closure Type FFY 2003 - 2008



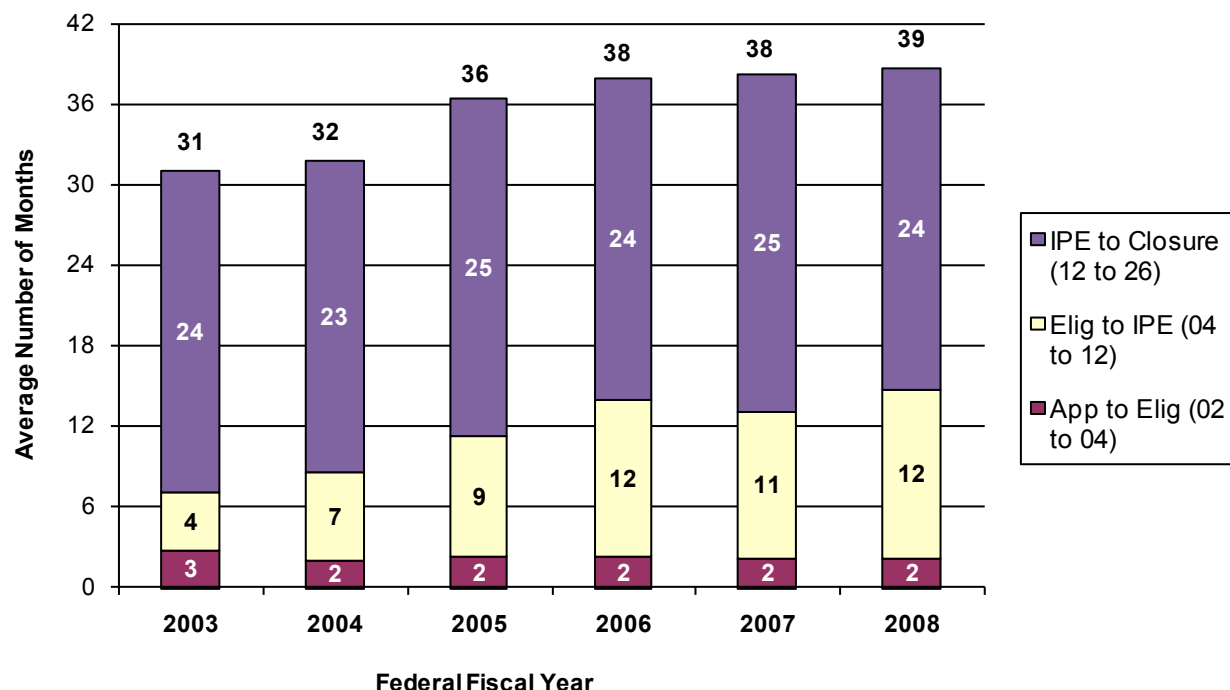
Another way to examine the flow of individuals through the VR program is to look at the length of time that individuals spend in the overall process, and in the various steps along the way. Chart 4 below shows the length of time (in months) that it took successfully rehabilitated (Status 26) individuals to move through the VR process.

### Findings

- ◆ Overall, the number of months it took a VR applicant to complete the entire process increased from 2003 to 2008, from 31 to 39 months— an average of more than 3 years.
- ◆ The length of time it takes to determine eligibility fell from 3 to 2 months in 2003 and 2004, and then remained at about 2 months through the remaining years.
- ◆ The length of time it took for eligible individuals to move from eligibility determination to completion of their IPE (Eligibility to IPE) tripled from 2003 to 2006, from 4 months to 12 months. It remained at about 12 months through FFY 2008. Note that this period includes both time spent on the wait list as well as time spent on development of the IPE (Status 10).
- ◆ There was little change in the average time spent in Plan Implementation from 2003 to 2005 (IPE to Closure). Thus, the growth in the overall time in the VR process can be directly attributed to the increase in time spent on the wait list and in IPE development.

**CHART 4**

**Maine DVR: Average Months in VR Process  
for Rehabilitated Clients (Status 26)**



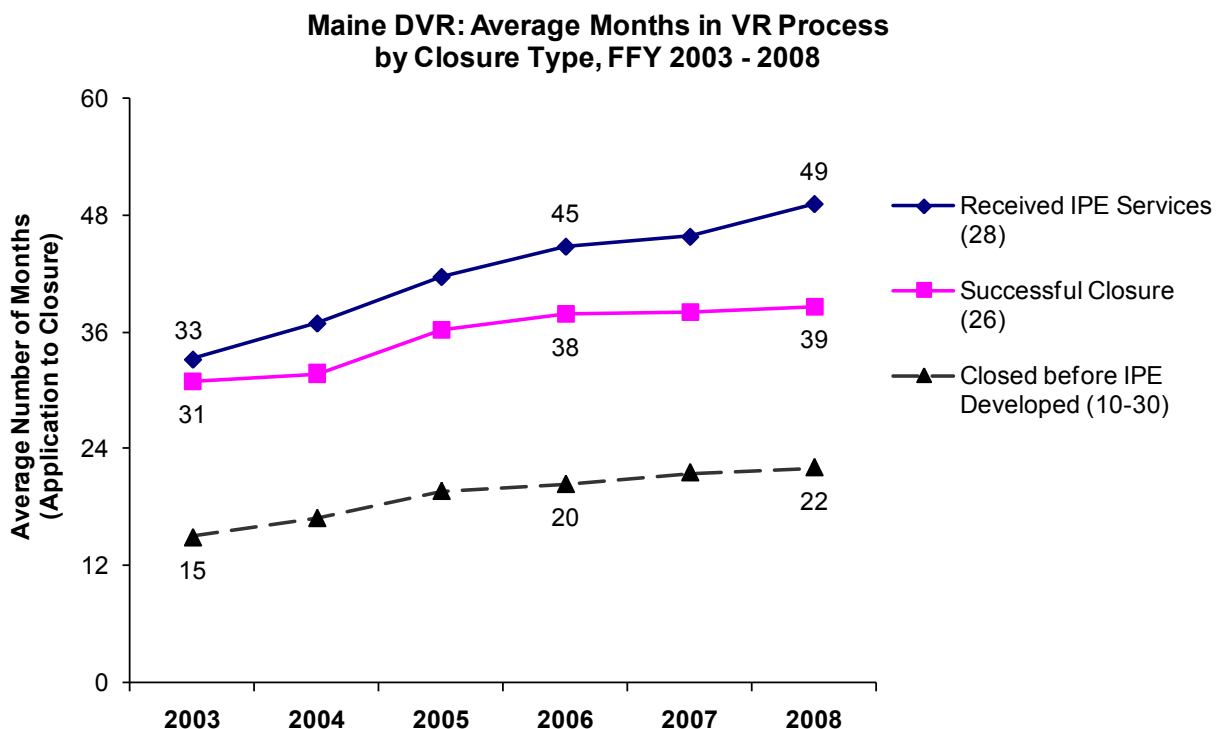
Keeping in mind that Chart 4 represents the best-case scenario, in that it only includes individuals who successfully completed the VR process, it is also instructive to examine the length of time that people who did not have a successful outcome spent in the VR process.

Overall time in the VR process has increased not only for successful closures, but also across other closure types as well. Chart 5 shows the average time from application to closure for cases closed after the individual received IPE services, for successful closures, and for cases closed before the individual's IPE was completed.

### Findings

- ◆ Regardless of the type of closure, time spent in the VR process increased from 2003 to 2008. Individuals whose case closed before receiving IPE services went from an average of 15 months in FFY 2003 to 22 months in 2008. And time in the VR process for Status 28 closures increased from 33 to 49 months over the same period.
- ◆ Among the cases closed after receiving IPE services in FFY 2008, 42% were closed because the individual refused further services, and 40% were closed because the VR counselor was unable to locate or contact the individual (not shown). Similar proportions were observed among Status 28 closures (40% refused services, 37% could not be contacted).

**CHART 5**



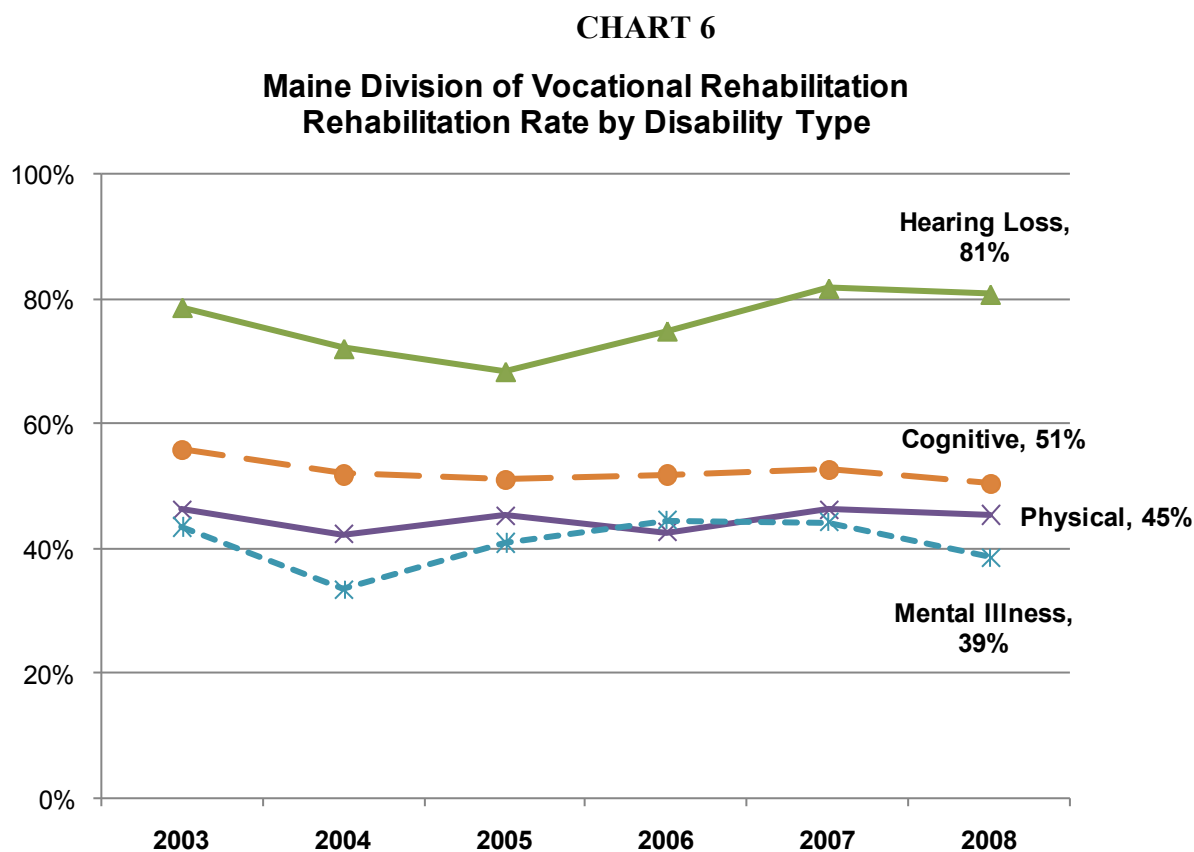
## **B. DVR Outcomes**

An important measure of the success of the Vocational Rehabilitation program is to look at employment outcomes for individuals. A standard federal measure is the rehabilitation rate, which represents the total number of successful (Status 26) closures, divided by the total number of closures following the development of an IPE (including both successful (Status 26) and unsuccessful (Status 28) closures).

Chart 6 breaks out the rehabilitation rate by disability type.

### *Findings*

- ♦ The proportion of DVR cases that were rehabilitated (i.e. worked for at least 90 days in an integrated setting) was an average of 49% from 2003 through 2008, and varied by only a few percentage points across this period. (See Appendix 3).
- ♦ Rehabilitation rates are highest for clients with hearing loss, followed by those with cognitive, physical and mental illness-related disabilities.





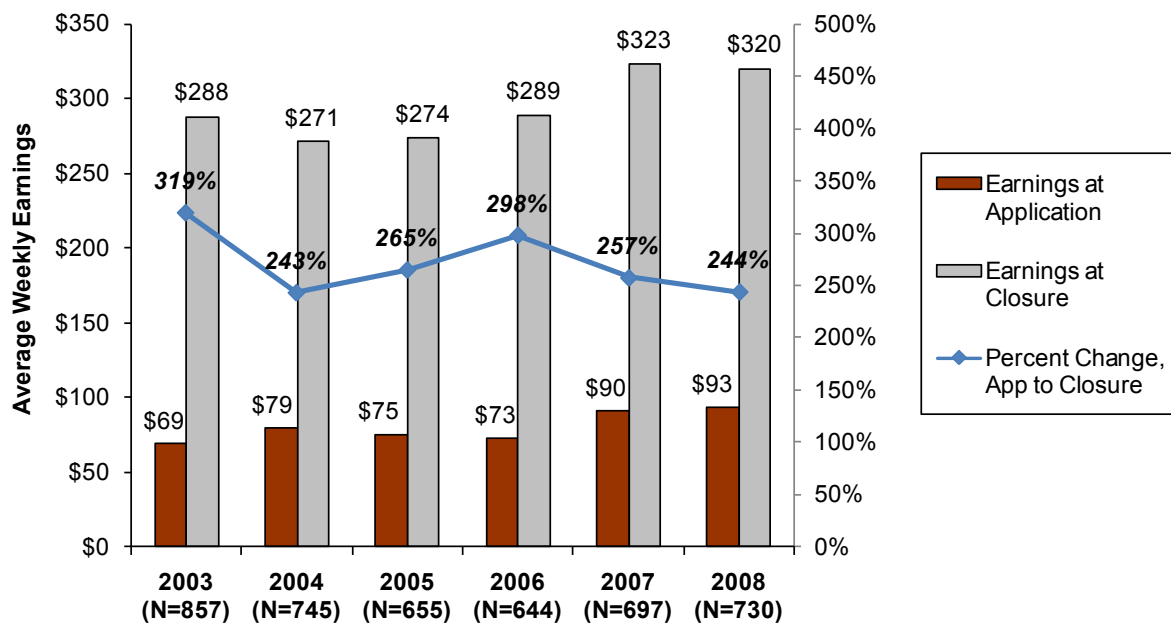
A second outcome measure for the Division of Vocational Rehabilitation is the change in earnings among individuals who successfully meet their employment goal. Chart 7 describes the change in average earnings among all successful closures.

#### Findings

- ♦ Average weekly earnings increased by more than 244% among 2008 closures, from \$93 at time of application up to \$320 at closure date. Similar increases were observed among cases closed in all of the other years as well.

**CHART 7**

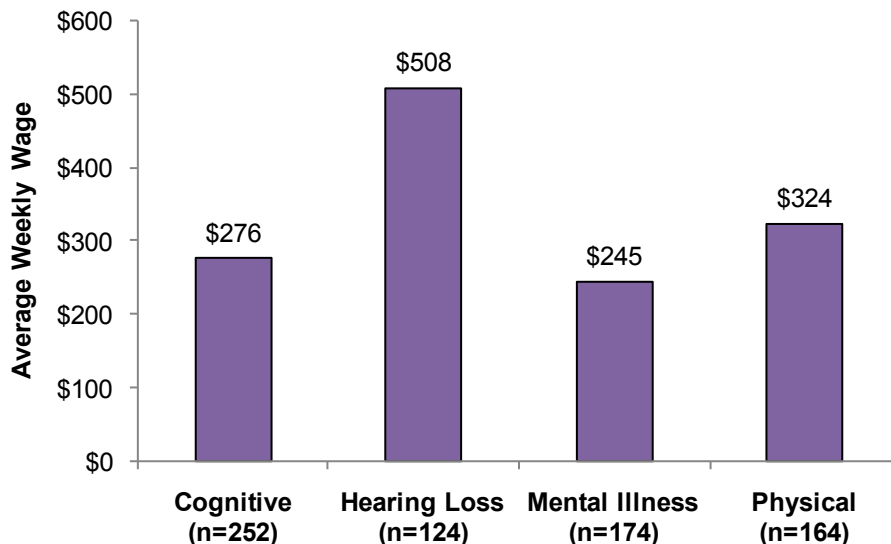
**Maine DVR: Average Earnings at Application and Closure  
for All Successful Closures, FFY 2003 - 2008**



Looking at the earnings and hours worked per week among successful closures by type of disability (Charts 8 and 9), we find that clients who are deaf or hard of hearing have the highest average weekly wages (\$508) and hours worked (35), followed by those with physical disabilities (\$324/week and 27 hours), cognitive disabilities (\$276/week and 27 hours), and mental illness (\$245/week and 24 hours).

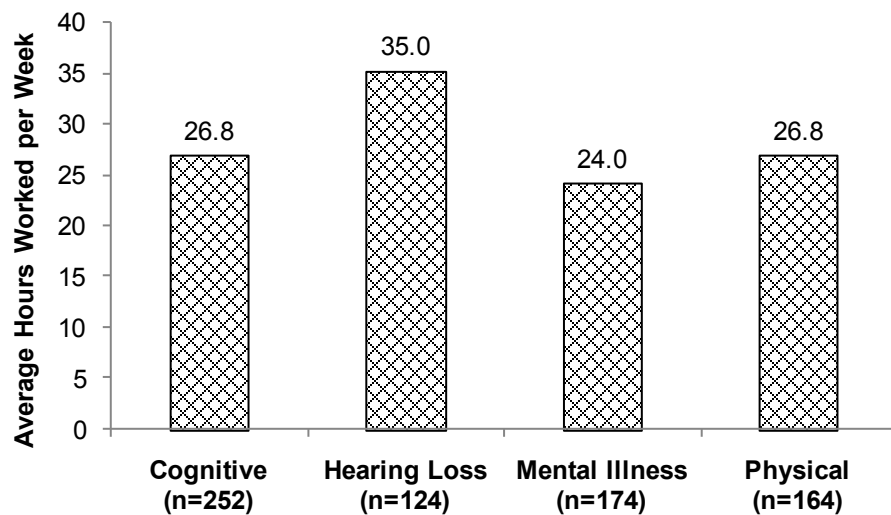
**CHART 8**

**Maine Division of Vocational Rehabilitation  
Average Weekly Wages  
among Successful Closures, FFY 2008**



**CHART 9**

**Maine Division of Vocational Rehabilitation  
Average Hours Worked per Week  
among Successful Closures, FFY 2008**



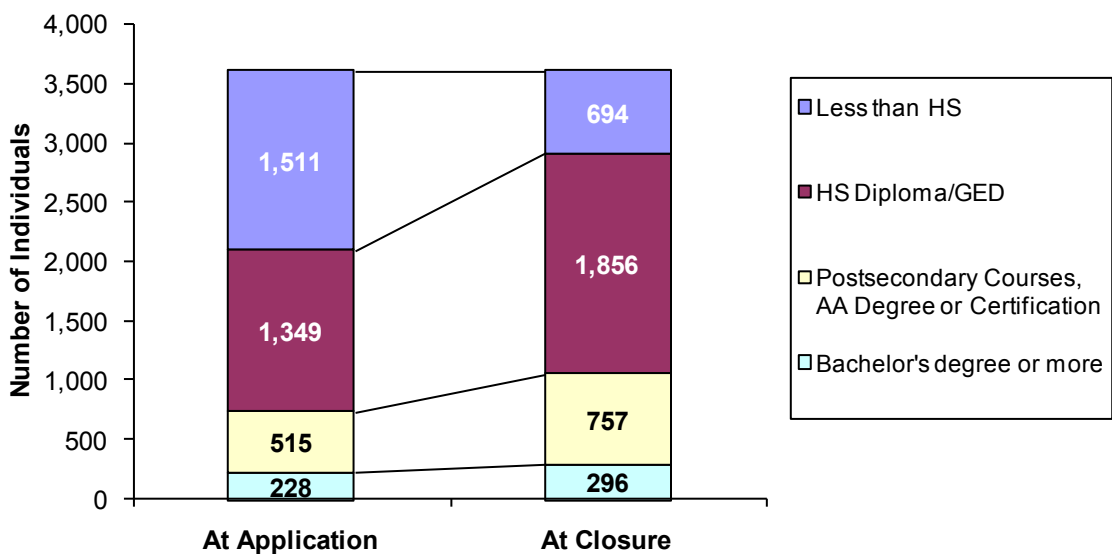
Another important outcome of the VR program is the change in education level among individuals who are served. Chart 10 compares the education level of all closures from FFY 2008 at the time they applied for services to their education level at closure.

#### *Findings*

- ♦ It should be noted 507 individuals who did not have a high school education at application achieved a high school diploma or equivalency or more through participation in the VR program.
- ♦ More than 242 people increased their education level to postsecondary courses, degrees or certifications, and 68 achieved a college degree.

**CHART 10**

**Maine DVR: Change in Education Level  
from Application to Closure  
FFY 2008 Closures (N=3,604)**



## C. DVR Services and Expenditures Costs

Maine's DVR program and the amendments to the Rehabilitation Act emphasize the importance of informed consumer choice – namely, providing DVR individuals with the information they need to choose vocational goals and determine the available services appropriate to meet those goals. Thus, cost information can serve as an indicator for the mix of services that Maine's DVR individuals have asked and received approval for over the past few fiscal years.

DVR spending has also been influenced by several agency initiatives over the past few years, including an effort in FFY 2005 to close long-term high cost cases, and an adjustment in the financial control and management system made to bring case service expenditures in line with total available resources for that year. Based on the information gathered for the 2007 DVR State Plan Comprehensive Needs Assessment, the agency developed and deployed Procedural Directives and training for specific services such as; transportation and vehicle repair, post-secondary education and self-employment. An emphasis on stewardship of public funds was initiated in 2008, which tightened fiscal spending and enhanced case review.

This section highlights trends in annual costs of DVR services and the service areas where these costs are concentrated. DVR classifies services into nearly 100 categories. For presentation purposes in this report, these categories are aggregated into a smaller set of eleven service groups, described below in Figure 1.

**FIGURE 1**  
**Description of Vocational Rehabilitation Service Groups**

<b>VR Service Group</b>	<b>Example Services</b>
Job Development & Placement	Job Development, Analysis, Placement & Referral
College or University Training	Tuition, boarding, fees, books, school supplies for college/university
On-the-Job Supports	Job coaching both at the worksite and off site & on the job training
Assessment	Community based situational assessments, and disability related evaluations
Occupational / Vocational & Other Training	Business/vocational training, books, supplies, boarding, tutoring, fees, adult education, literacy, mobility training, truck driving school, etc.
Transportation	Cab/bus fares, car repair, gas
Hearing Aid	Provision of hearing aids, molds and repair
Rehabilitation Technology	Augmentative computer equipment, software, training, home/ building or vehicle modifications
Maintenance	Clothing, child care, food and shelter to enable IPE
Diagnosis & Treatment	Medical exams, treatment, therapy & counseling
All Other Services	Readers/interpreters, occupational tools & equipment, services to family members, purchased counseling & guidance

Table 2 details DVR paid authorizations from FFY 2006 through 2008, broken out by service group.

*Findings*

- ◆ Total expenditures increased from \$7.7 million in FFY 2006 up to \$8.6 million in FFY 2007, and then went back down to \$7.4 million in FFY 2008. Total DVR expenditures can fluctuate from year to year.
- ◆ Job Development & Placement is the largest single service group, representing 20 to 22 percent of total DVR case costs each year. Spending on this group grew by 6% from FFY 2006 to 2008, from \$1.55 to 1.64 million.
- ◆ Spending for College or University Training has grown significantly, continuing a trend that has been ongoing for the past six years; total expenditures grew from \$1.27 million in FFY 2006 to \$1.5 million in FFY 2008.
- ◆ Assessment spending also grew significantly, from \$479,000 to \$661,000, overtaking both Occupational/Vocational training and transportation for the fourth highest service category.
- ◆ A number of service groups saw large decreases in spending. Transportation costs were almost \$740,000 in FFY 2006, increased slightly to \$760,000 in FFY 2007, but then dropped by more than 40% to only \$590,000 in FFY 2008. (Note: Changes in DVR Policy, effective 7/1/04, identified transportation as a support service that can only be addressed in an IPE or Post-employment plan in association with VR Core Services.) And spending for Rehabilitation Technology and Maintenance both declined by more than 60% from FFY 2006 to 2008.

**TABLE 2**  
**Maine Division of Vocational Rehabilitation**  
**Case Costs by Service Group and Federal Fiscal Year**

Note: Sorted by FFY 2008 Case Costs

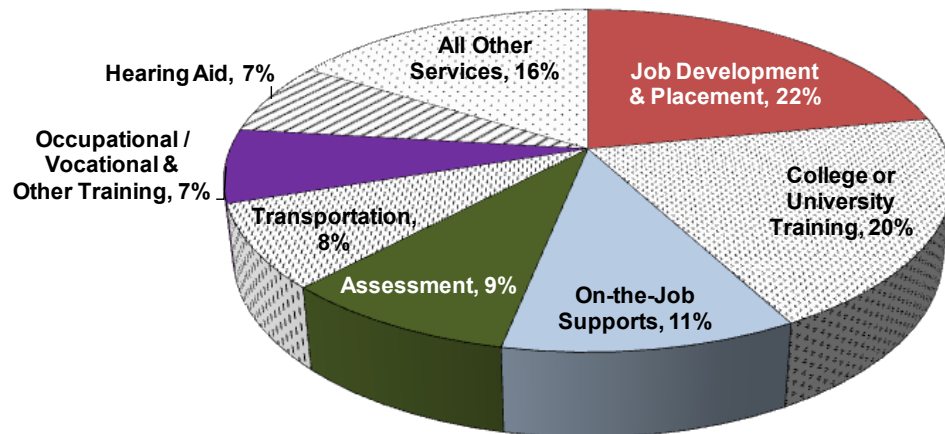
VR Service Group	DVR Case Costs			% Change 2006-2008
	FFY 2006	FFY 2007	FFY 2008	
Job Development & Placement	\$ 1,549,147	\$ 1,789,196	\$ 1,639,568	6%
College or University Training	\$ 1,267,678	\$ 1,428,448	\$ 1,499,511	15%
On-the-Job Supports	\$ 859,802	\$ 862,288	\$ 820,991	-5%
Assessment	\$ 479,433	\$ 614,276	\$ 661,137	27%
Occupational / Vocational & Other Training	\$ 637,772	\$ 670,892	\$ 586,676	-9%
Transportation	\$ 739,071	\$ 759,561	\$ 518,442	-43%
Hearing Aid	\$ 468,844	\$ 568,474	\$ 512,458	9%
Rehabilitation Technology	\$ 430,769	\$ 580,772	\$ 269,918	-60%
Maintenance	\$ 394,214	\$ 352,393	\$ 220,830	-79%
Diagnosis & Treatment	\$ 196,425	\$ 209,016	\$ 195,926	0%
All Other Services	\$ 685,631	\$ 739,969	\$ 522,018	-31%
<b>TOTAL</b>	<b>\$ 7,708,785</b>	<b>\$ 8,575,286</b>	<b>\$ 7,447,474</b>	<b>-4%</b>

Source: Tracker (SSA-VR Claims System)

Chart 11 shows the percent of all DVR expenditures in FFY 2008 that were spent on each type of service group. Job Development & Placement, College or University Training, and On-the-Job Supports were the top three service groups in terms of case costs in FFY 2008, with a total of \$3.96 million – 53 percent of the \$7.45 million in total DVR expenditures that year.

**CHART 11**

**Maine Division of Vocational Rehabilitation  
Case Costs by Service Group, FFY 2008**

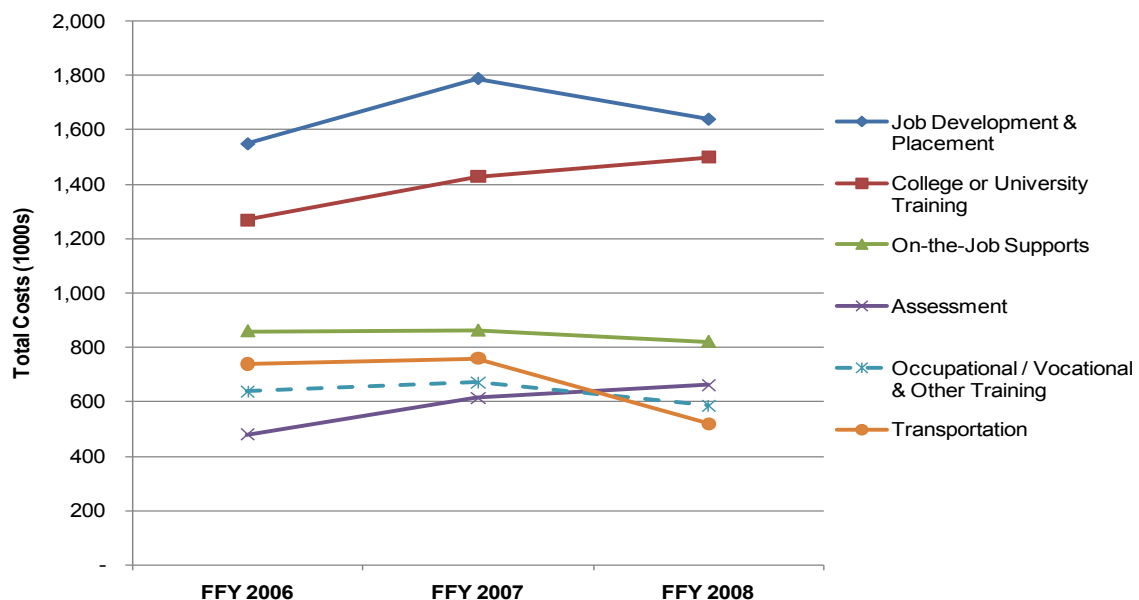


Note: Total FFY 2008 Case Costs = \$7.45 million

Chart 12 outlines the trends in service costs over the past three federal fiscal years, FFY 2006 to 2008. The results underscore the growth in College or University Training and Assessment costs, and the decline in Occupational/Vocational Training and Transportation, particularly from FFY 2007 to 2008.

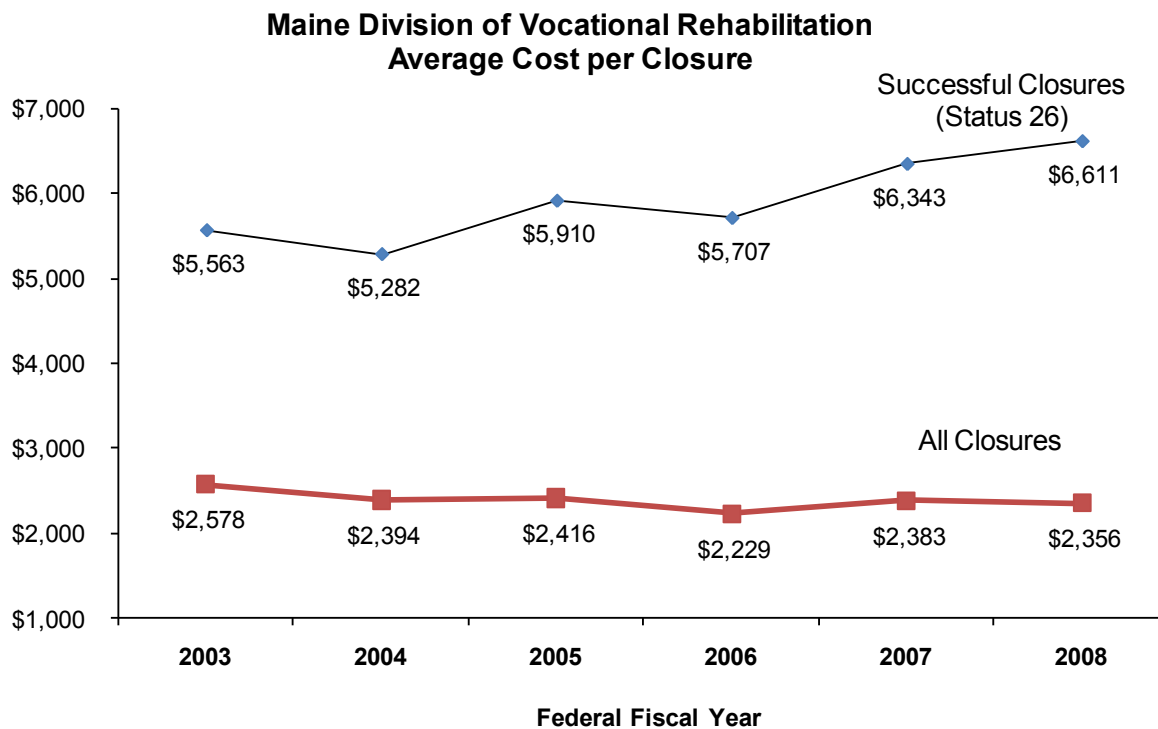
**CHART 12**

**Maine Division of Vocational Rehabilitation:  
Top 6 Service Groups by Federal Fiscal Year**



On a per-person basis, the average rehabilitation cost has been rising over the past several years. Between FFY 2004 and 2008, the cost per successful closure rose from \$5,282 to \$6,611, increasing an average of \$332 each year. Over the same period, the average cost for all types of closures declined slightly, from \$2,394 to \$2,356 as seen in Chart 13 below.

**CHART 13**



## **D. Consumer Satisfaction Survey**

Maine DVR has been surveying individuals regarding service satisfaction at the time of closure since 1997, but recognized in 2003 that the return rate was not providing statistically reliable data that could help improve agency services. Thus, a decision was made to join other New England States in a Rehabilitation Services Administration sponsored Customer Satisfaction Survey conducted by Market Decisions, LLC, a research organization in South Portland, Maine. DVR found the information provided by the survey extremely valuable and decided to engage Market Decisions to conduct the survey again in 2008. In 2008, New Hampshire Vocational Rehabilitation and the Vermont Division of Vocational Rehabilitation were also surveyed with the same instrument allowing these New England states both a local a regional perspective on service delivery.

A random, stratified sample was utilized that included all current active clients (status 12 and above), all individuals closed successfully from a plan (status 26) and all individuals closed unsuccessfully after an IPE was implemented (status 28) in the previous twelve month period prior to each survey. Individuals were contacted by telephone, but given the option of responding to a mailed survey. Alternative formats were available at the consumer's request.

Table 3 shows the results of measures used to determine overall satisfaction with DVR. Clearly, the overall level of satisfaction of individuals served by DVR is very high and has not changed significantly between 2003, 2006, and 2008.

### *Findings*

- While the level of satisfaction among all clients did not increase (and perhaps experienced a slight decline since 2006), there were certain trends in at least one region that did indicate a sizeable increase in client satisfaction.
- The percentage of clients reporting problems has been steadily declining since 2003. Further, among those indicating they experienced problems, the percentage reporting the Division did work to resolve the problem has increased since 2006.
- While clients raised a number of concerns or issues, for the most part these were minor issues that had to do with the need for some additional support, communication, providing information, and more responsiveness to clients' needs.
- It also shows that individuals going through the VR process are treated with dignity and respect and they would recommend VR to others with similar disabilities.
- Among the clients indicating that working with more than one counselor affected the services they received, the most frequently cited concern was that they had to wait for a new counselor in order to get services (13%), and their new counselor was/is a disappointment (13%). Others mentioned their counselor was/is an improvement (11%), the counselors varied in enthusiasm, ability, and knowledge (11%), and months passed without a counselor or support (10%).



**TABLE 3**  
**MAINE DIVISION OF VOCATIONAL REHABILITATION**  
**OVERALL SERVICE SATISFACTION**

	<b>2003</b>	<b>2006</b>	<b>2008</b>
Number of completed surveys	726	741	732
<b>Percentage of respondents:</b>			
Very or somewhat satisfied with Maine DVR Program	85%	83%	82%
Satisfied with the services received	82%	82%	82%
Services provided by Maine DVR compared favorably to services offered through their ideal program	85%	79%	76%
Would tell their friends with similar disabilities to go to Maine DVR for help	94%	94%	94%
Services met expectations	79%	80%	78%
Maine DVR staff treated them with dignity and respect.	97%	94%	98%
Clients reporting problems with the agency	29%	26%	24%
Clients reporting having more than one counselor affected their ability to get services	13%	33%	39%

## **E. Consumer and Stakeholder Input**

At its 2008 Annual Meeting, the DVR State Rehabilitation Council (SRC) held a consumer forum and extended invitations to close to 500 individuals who had been successfully employed with assistance through VR in the previous 5 years. The consumer forum questions were: how was VR helpful, what were the barriers in your VR experience, and what could VR have done better. Three individuals attended and shared their personal experience with the VR process:

- One individual was very happy with the result of his work with VR. He was still self-employed, his time in the program was short and he was happy.
- Another individual's initial experience was very positive and he was able to advance in employment. However, after a change in his abilities and moving to another location, he found it frustrating to be job-hunting again. His overall impression of VR was positive, but he felt it takes too long.
- The last person's path was more frustrating; getting a job was not a problem, but maintaining employment was. She felt her chronic, cyclical disability was her major barrier to maintaining employment and that VR was not a good fit. She, too, complained about the length time she had to wait for services.

Given the low consumer turnout at the Annual Meeting, the SRC subsequently contacted 17 groups of agencies, providers and councils (stakeholders who represent and/or serve a broad spectrum of individuals with disabilities). Letters were sent that asked if the individuals with disabilities they knew were interested in employment and what services were needed. Additionally, the SRC inquired if individuals were being served by VR, what was helpful and what was not, and lastly, for the individuals in employment, what issues they were confronting.

The SRC received responses from over 50% of those contacted. The responses included both agency and consumer input, representing multiple groups of individuals with disabilities. All groups mentioned a concern in the availability of transportation, both public and personal. Maine does not differ from other rural states in this respect. Other barriers to employment and/or VR services mentioned were the need to eliminate DVR's waitlist, better career exploration, and the need for consumer friendly literature about the VR process and the purpose of VR services. Maine's community of culturally Deaf individuals strongly requested that services and information about VR be made available in a more understandable format for them. Also identified was a need for VR Counselors

and job coaches to have additional training to work with individuals with specific disabilities, such as autism spectrum disorder. Respondents also expressed a need for DVR to develop a partnership with the Veteran's Administration and work with the CareerCenters to augment services to returning Veterans with disabilities.

## IV. ESTIMATING POPULATION ELIGIBLE FOR DVR SERVICES AND UNMET NEEDS

### A. American Community Survey

To estimate the number of people eligible for DVR services in Maine, we use information from the American Community Survey (ACS), conducted each year by the United States Census Bureau.<sup>9</sup> The ACS is designed to provide both national and State level data on demographic, social, economic and housing characteristics of US households. Included in the survey are six questions that can be used to identify the population of people with disabilities (see Appendix 2).

The Census defines anyone who responds affirmatively to the following question as having a work disability:

“Because of a physical, mental, or emotional condition lasting 6 months or more, does this person have any difficulty in doing any of the following activities: working at a job or business?”

We use the work disability question as an indicator for individuals who could meet the DVR eligibility criterion of “having a physical or mental impairment which results in a substantial impediment to employment.” Because many individuals with disabilities are already successfully employed and do not require vocational rehabilitation services, we further limited our ACS sample to those who were not currently working or on temporary leave from a job.

Table 4 details the sample selection process used to identify the ACS work disability population.

#### *Findings*

- ◆ In the 2006 and 2007 ACS, which was used to estimate the DVR-eligible population in the State, the first row indicates that in both 2006 and 2007 over 8,000 working-age adults in Maine between the ages of 16 and 64 were interviewed for the ACS. Based on the sample from 2007, the Census estimated that there were a total of 869,000 working age adults living in the State.
- ◆ The second row adds the work disability criterion, showing that in 2007, a total of 855 respondents in the ACS reported a work disability, representing an estimated 91,000 Maine adults (10.5% of all Maine adults).
- ◆ The final row adds the requirement that sample members be currently unemployed. In 2007, we identified a total of 727 individuals in the ACS sample with a work disability who were not already working. **Based on these 727 individuals, we estimate that in 2007 there were a total of 77,000 DVR-eligible adults in Maine (84.5% of all adults with a work disability).**

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<sup>9</sup> For more information on the ACS, see <http://www.census.gov/acs/www/>

**TABLE 4**  
**American Community Survey Work Disability Population**  
**State of Maine**

	2006 ACS		2007 ACS	
	Sample Size	Population Estimate	Sample Size	Population Estimate
Working-age adults (16-64) in Maine	8,248	885,857	8,116	869,461
(90% Confidence Interval)		(871,123 - 900,591)		(854,424 - 884,498)
Working-age adults with a work disability **	802	82,769	855	91,402
(90% Confidence Interval)		(76,677 - 88,861)		(84,667 - 98,137)
Working-age adults with a work disability who are <u>not</u> currently working (or on temporary leave)	671	66,946	727	77,265
(90% Confidence Interval)		(61,536 - 72,356)		(71,036 - 83,494)

**Source: Muskie School of Public Service Calculations based on the American Community Survey Public Use Microdata Sample (PUMS)**

Notes:

- Work disability is based on responses to the question: "Because of a physical, mental, or emotional condition lasting 6 months or more, does this person have any difficulty in doing any of the following activities: Working at a job or business?"
- The ACS changed the sampling strategy to include individuals living in group quarters in 2006. We include only individuals living in non-institutionalized group quarters in this analysis.
- People with sensory disabilities (visual or hearing impairments) are included in these figures. People with visual impairments are served by the Division of Blind and Visually Impaired (DVBI). The ACS sensory disability question does not allow for differentiating between individuals with visual versus hearing impairments.

Limitations

There are several important limitations to note about using the ACS work disability population to estimate and describe the VR-eligible population in Maine. First, while over 95% of individuals in Maine's DVR program are between the ages of 16 and 64, there is technically no lower or upper age eligibility limit, so our estimates do not adequately describe potential young or elderly individuals who are eligible for DVR services. This could lead to an underestimate of the number of people eligible for DVR services.

However, there are also potential reasons why using the ACS could lead to an overestimate of the numbers of people in Maine who are eligible for DVR services. The Census work disability question asks whether the person's condition causes "difficulty...in working at a job or business", as opposed to the VR eligibility criterion that requires a "substantial impediment to employment." The ACS work disability definition may therefore be too general, and include a number of individuals who would not be eligible for VR because they:

- ◆ are unavailable to participate in VR or the workforce;
- ◆ are not interested in getting a job or participating in VR; or
- ◆ have difficulty working but their condition is not so limiting as to constitute a "substantial impediment to employment".

In addition, individuals with blindness or visual impairments are not served by DVR, but instead receive services from the Division of Blind and Visually Impaired (DBVI). Over the last three years, DBVI VR cases have averaged a little less than 10% of all VR individuals served under the Bureau of Rehabilitation Services. The percentage of individuals who are blind or visually impaired in the general population is 1.8% or 23,400 people in Maine. The ACS includes a question that identifies sensory disabilities, but it does not allow for differentiating between individuals with hearing versus visual impairments, so persons potentially eligible for DBVI services may also be included in our work disability population.

Despite the limitations, the ACS is the best source available for state-level estimates of the population eligible for DVR services. The large sample size (over 5,000 each year for Maine alone) and statewide coverage make it unique among federal surveys. Also, the survey will be repeated each year, allowing for examination of trends in the work disability population in Maine in the future.<sup>10</sup>

### ACS Work Disability Population Characteristics

To describe the population of individuals eligible for DVR services, we again use the American Community Survey and the sample of individuals with a work disability described above. The ACS includes a number of demographic and socioeconomic characteristics that are useful for this purpose. To improve the reliability of our estimates, we combined respondents from both the 2006 and 2007 ACS who met the work disability definition, for a total sample of 1,398 individuals. The results are shown in the second column of Table 5.

#### *Findings*

- ◆ The most common type of disability among the work disability population is physical, at 66%.
- ◆ About half report a mental disability (defined as difficulty learning, remembering or concentrating).
- ◆ Over a third report difficulty in going outside their home alone.
- ◆ Over one in five have difficulty performing self-care activities.
- ◆ Sensory disabilities (hearing and/or visual impairments) are the least prevalent disability type, at 16% of the ACS work disability population.
- ◆ 89% of individuals (all of whom report a work disability) also reported at least one additional Census disability type<sup>11</sup> (not shown). One-third reported two types of disability (meaning they have a work disability and one other disability type), and over half reported three or more different types of disability (work + 2 or more others).
- ◆ Over one third of the population is ages 55 to 64.
- ◆ One quarter of individuals with a work disability did not complete high school or pass an equivalency test. About 3 in 10 have some post-secondary training or have a college diploma.
- ◆ Only 13% of the population has recent work experience. Over half have not worked in the past five years or never worked. (Remember that people who are currently working were deliberately excluded from this sample.)
- ◆ 5.3% belong to a racial or ethnic minority.

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<sup>10</sup> Weathers, Robert. 2005. *A Guide to Disability Statistics from the American Community Survey*. Cornell University School of Industrial & Labor Relations. <http://digitalcommons.ilr.cornell.edu/edicollect/129>

<sup>11</sup> See Appendix 2 for the specific questions that the Census uses to identify each disability type.

- ♦ Twenty nine percent received Supplemental Security Income in the past year, the federal program that provides cash assistance to low-income individuals with severe disabilities.
- ♦ Just over one third received Social Security Disability Insurance.
- ♦ The poverty rate among people with a work disability is extremely high, at 38%. Over half of the population lives at or below 150% of the Federal Poverty Level.

**TABLE 5**  
**Maine Division of Vocational Rehabilitation Client Characteristics**  
**and Selected Comparisons to ACS Work Disability Population**

	DVR Clients, FFY 2008* N=3,604	Work Disability Population** (Pooled 2006-2007 ACS) N=1,398	
	Percent	Percent	Difference
<b>Primary Disability Type (DVR)</b>			
No impairment	2.7	Disability type information is not comparable	n/a
Sensory	7.4		
Physical	23.6		
Mental Illness	35.8		
Cognitive	30.6		
<b>Disability Type (ACS)</b>			
Sensory	Disability type information is not comparable	15.8	n/a
Physical		66.2	
Mental		48.9	
Self-care		22.8	
Go-outside-home		37.0	
<b>Age</b>			
Less than 23	28.8	6.5	22.3
23 - 54	58.4	58.7	-0.4
55 - 65	11.5	34.8	-23.4
Over 65	1.4		
<b>Education</b>			
Less than HS	41.9	24.6	17.3
HS or equivalent	37.4	46.3	-8.9
Some College	14.3	21.3	-7.0
College or more	6.3	7.8	-1.4
<b>Most recent work experience</b>			
Working at time of DVR application (ACS: Worked in past 12 months)	15.7	13.3	2.4
Not working at application	84.3	86.7	
<b>Gender</b>			
Male	58.3	45.3	13.0
Female	41.7	54.7	
<b>Race</b>			
White	97.2	94.7	2.5
Racial/ethnic minority	2.8	5.3	
<b>SSI Income</b>			
Received SSI income at application (ACS: in past year)	20.4	29.5	-9.1
Did not receive SSI	79.6	70.5	
<b>SSDI Income</b>			
Received SSDI income at application (ACS: in past year)	24.1	35.9	-11.7
Did not receive SSDI income	75.9	64.1	
<b>Household Poverty Status</b>			
< 100% Federal Poverty Level (FPL)	not available	37.5	
100 - 199% FPL		27.7	
200%+ FPL		34.8	

\* DVR client characteristic data is for all cases closed in FFY 2008, including both successful and unsuccessful closures. Characteristics are based on information recorded at application unless otherwise noted.

\*\* Work-disability population defined as individuals age 16 - 64 with a work disability who do not report working in the past week (or being on temporary leave). Work disability is based on responses to the question: "Because of a physical, mental, or emotional condition lasting 6 months or more, does this person have any difficulty in doing any of the following activities: Working at a job or business?"

**Source: Maine DVR Data and Muskie School of Public Service Calculations based on the American Community Survey Public Use Microdata Sample (PUMS)**

## Are DVR Services Reaching the Eligible Population?

To determine if there are certain segments of the eligible population not being reached by the DVR program, in Table 5 we compare the characteristics of ACS work disability sample against information collected by the agency on current DVR individuals (Table 1, on pg. 8). Disability type information is not presented as a side-by-side comparison because the ACS disability measures are not comparable to the way that DVR collects primary disability type from each applicant.

- ◆ Table 5 indicates that individuals in the DVR program are much more likely to be under age 23 at application than individuals in the ACS work disability sample.
- ◆ DVR participants are generally less educated than the eligible population, with 42% lacking a HS degree versus only 25% in the ACS work disability sample.
- ◆ DVR individuals are also more likely to be male (58% versus 45%).
- ◆ Historically, only a very small proportion of Social Security beneficiaries who qualify under a disability category have participated in the labor market, due largely to disincentives associated with the potential loss of cash and health benefits. Recent federal laws like the Ticket to Work and Work Incentive Improvement Act and associated changes to Social Security program rules have reduced these disincentives, but many beneficiaries remain fearful about pursuing work. Not surprisingly, recipients of Social Security cash benefits are therefore less likely to participate in the DVR program than the numbers in the ACS work disability would suggest: DVR participants are less likely to be SSI recipients (20% versus 30%) and less likely to receive SSDI (24% versus 36%). Maine's SSI and SSDI participation rates are higher than Vocational Rehabilitation programs in states with similar VR expenditures.
- ◆ Table 5 indicates that DVR serves proportionately fewer individuals of racial or ethnic minorities than those identified in the ACS work disability population.

## **B. Social Security Recipients in Maine**

An alternative source of information that can be used to estimate the number of people in Maine who are eligible for DVR services comes from the Social Security Administration. Maine residents who receive SSI or SSDI are presumed to be eligible for vocational rehabilitation services, as long as the individual is interested in getting a job.<sup>12</sup> Therefore, all SSI and SSDI recipients who qualify for payments from the Social Security Administration under a disability eligibility category are potentially eligible for DVR services.

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<sup>12</sup> Maine Division of Vocational Rehabilitation Policy Manual. (July 1, 2004)

Table 6 lists the number of Maine recipients of both programs by VR Region from December 2007.

### Findings

- ♦ It shows that there were more than 31,000 SSI recipients, and almost 47,000 SSDI recipients living in Maine.
- ♦ Because many of these individuals are dually eligible for both SSI and SSDI, we cannot compute a precise total, but we estimate that there are approximately 64,700 Social Security beneficiaries with disabilities living in Maine, all of whom would meet the DVR eligibility definition of “substantial impediment to employment.”<sup>13</sup>

**TABLE 6**  
**Open Maine DVR Cases, SSI and SSDI Recipients**  
**December 2007**

VR Region	Counties Included	Open DVR Cases		SSI Recipients		SSDI Recipients	
		Number	Percent	Number	Percent	Number	Percent
Region I	Cumberland, York	2,234	28.5	7,384	23.7	13,268	28.3
Region II	Androscoggin, Franklin, Oxford, Sagadahoc	2,006	25.6	6,239	20.1	8,964	19.1
Region III	Kennebec, Knox, Lincoln, Somerset, Waldo	2,131	27.2	7,847	25.2	11,046	23.6
Region IV	Hancock, Penobscot, Piscataquis, Washington	1,169	14.9	7,160	23.0	10,021	21.4
Region V	Aroostook	305	3.9	2,482	8.0	3,601	7.7
<b>TOTAL</b>		<b>7,845</b>	<b>100.0</b>	<b>31,112</b>	<b>100.0</b>	<b>46,900</b>	<b>100.0</b>

#### Sources:

- DVR Accumulative Caseload Report as of 12/31/2007. Run on 1/2/2008. Open cases from the Skowhegan Office (District 46) have been deducted from the Region IV total and added to the Region III total in order that the DVR Regional data be comparable to the SSI/SSDI data by county.

-U.S. Social Security Administration, Office of Policy. *SSI Recipients by State and County, 2007*  
[http://www.socialsecurity.gov/policy/docs/statcomps/ssi\\_sc/2007/](http://www.socialsecurity.gov/policy/docs/statcomps/ssi_sc/2007/)

-Social Security Administration, Office of Retirement and Disability Policy. *OASDI Beneficiaries by State and County, 2007*. [http://www.socialsecurity.gov/policy/docs/statcomps/oasdi\\_sc/2007/](http://www.socialsecurity.gov/policy/docs/statcomps/oasdi_sc/2007/)

Because the Social Security data includes breakdowns by county, we can also use it as a proxy to examine whether DVR is reaching the geographically dispersed population of people with disabilities in Maine. Chart 14 compares the distribution of open Maine DVR cases, SSI recipients, and SSDI recipients from December 2007. First of all, it shows that the geographic distribution of both SSI and SSDI recipients is fairly similar; Region I (Cumberland and York counties) has a slightly higher concentration of SSDI recipients than SSI recipients (28% versus 24%), but the other Regions are essentially the same. This concurrence supports the idea that the Social Security information is a reasonable indicator of where in the State of Maine people with severe disabilities are living.

Comparing the distribution of Open DVR Cases against the Social Security program information, we see that there is a much lower proportion of open DVR cases who lived in Regions IV and V (19%) relative to SSI and SSDI recipients (31% and 29%). This difference may indicate a higher level of unmet need for VR services in these areas.

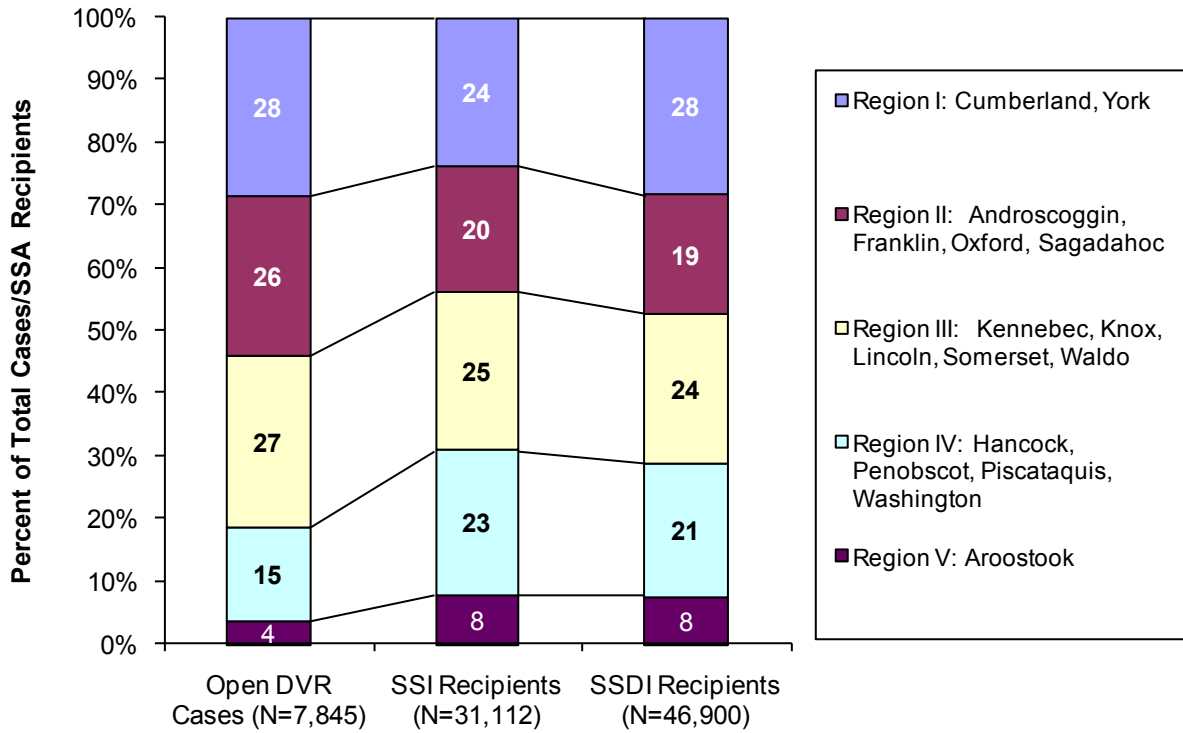
<sup>13</sup> To compute this estimate, we assume that the proportion of all Maine SSI recipients (both aged and disabled) who are also eligible for SSDI (42.7%) is the same for disabled SSI recipients only. So there are:

	31,112	SSI Recipients with disabilities	
+	46,900	SSDI Recipients with disabilities	
-	13,288	SSI recipients with disabilities who are also eligible for SSDI	
<hr style="border: none; border-top: 1px dashed black;"/>			
=	64,724	SSI and SSDI recipients in Maine with disabilities	



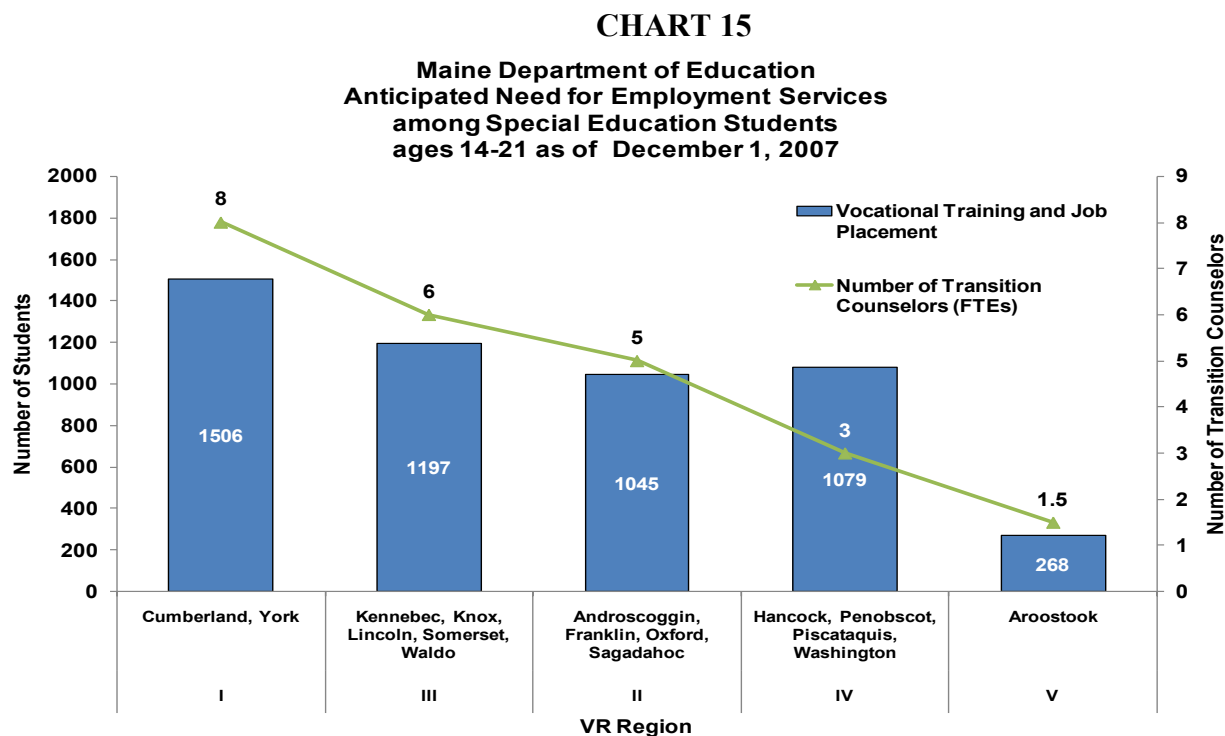
# CHART 14

## Percent Distribution of Open Maine DVR Cases, SSI Recipients and SSDI Recipients, December 2007



## Student population

Students with disabilities currently enrolled in special education in Maine schools represent a current and potential future group of clients who will need services from the Division of Vocational Rehabilitation. The bars in the following chart, Chart 15, show the number of special education students who will need “vocational training and job placement” as of December 2007, broken out by VR Region. The number of transition counselors in each region is also displayed (in terms of Full Time Equivalents), as a measure of existing capacity in DVR to serve youth with disabilities. Region 1 has the largest number special education students needing VR services (1506), followed by Region 3 (1197), Region 4 (1079), Region 2 (1045) and Region 5 (268). For the most part, the number of transition counselors in each VR region mirrors the number of special education students who need VR services. Region 1 has the highest number of transition counselors (8), and Region 5 has the least (1.5 FTEs). The one exception to this pattern is Region 4, which has more special education students than Region 2, but fewer transition counselors.

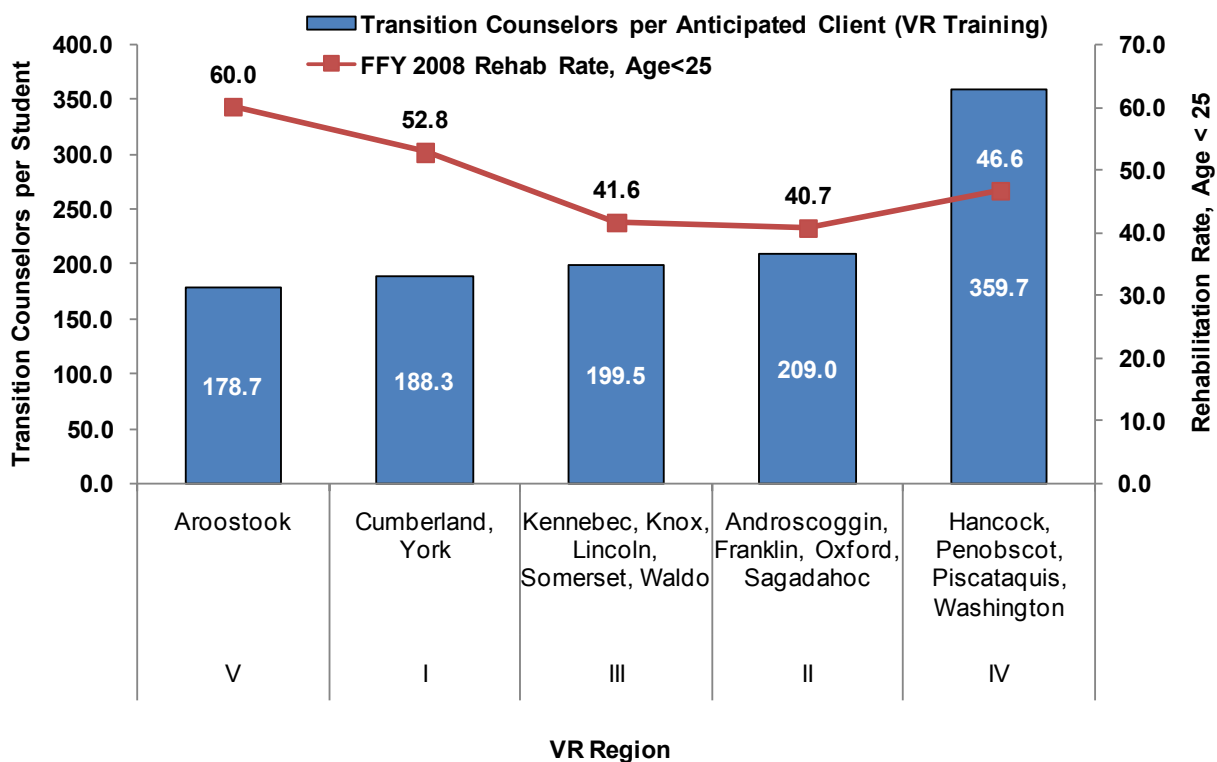


Source: Maine Department of Education - EF-S-05 Reports December 1, 2007 Child Count State Totals Report by Anticipated Services and County, Ages 14-21 at Data Collection  
[http://www.maine.gov/education/speced/EFS05/public\\_reports.htm](http://www.maine.gov/education/speced/EFS05/public_reports.htm) Downloaded 2/9/09. Transition Counselor information from Maine DVR.

This is more clearly illustrated by comparing the number of special education students needing VR services per transition counselor in each VR region.<sup>14</sup> Region 4 stands out clearly in this chart relative to the other parts of Maine, in that there is only 1 transition counselor for every 360 special education students needing VR services. In all other regions there is at least 1 counselor for every 209 students needing VR services, and the average is 1 counselor per 194 students. The relative lack of transition counselors in Region 4 does not appear to lead to worse employment outcomes, however. Chart 16 also shows the rehabilitation rate (Status 26 closures / Status 26 + 28 closures) for FFY 2008 among transition-age DVR clients. Overall, the rehabilitation rate for all clients under age 25 at application was 46 percent, and the rehabilitation rate for Region 4 was right at the state average. Transition youth in this region may be obtaining needed services from other parts of the vocational rehabilitation system, such as through schools or Career Centers.

**CHART 16**

**DVR Transition Counselors per Special Education Student  
and Rehabilitation Rate for Transition Population (Age<25)  
by VR Region**



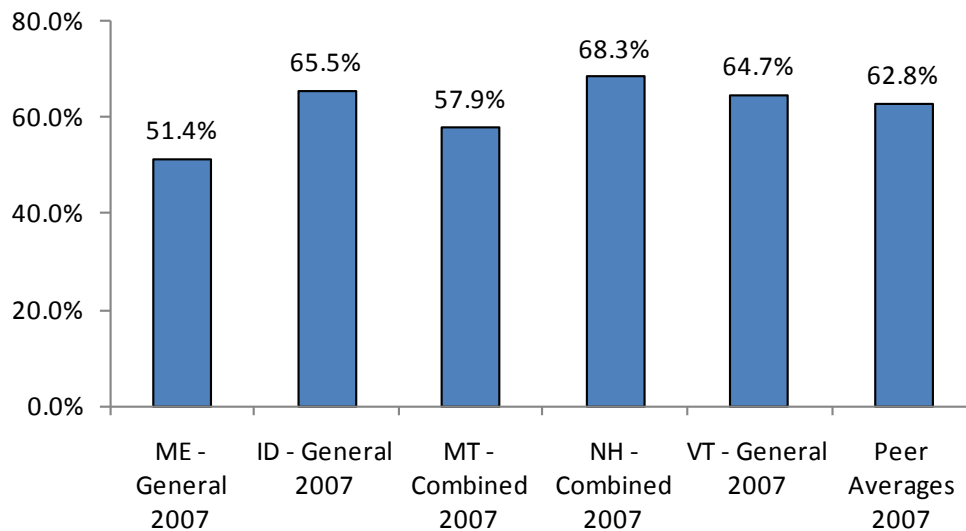
<sup>14</sup> This is computed by dividing the number of special education students who will need vocational training and job placement services by the number of transition counselors for each VR region. For example, in Region 1: 1,506 special education students needing VR services divided by 8 transition counselors = 188.3 students per counselor.

## V. COMPARISON TO OTHER STATES

Comparing Maine's Division of Vocational Rehabilitation to its peer state VR agencies can provide further insight into areas for focus in the coming years. Maine's peer states include Idaho, Montana, New Hampshire and Vermont. These states were selected as "peers" because each state's VR program served between 4,100 and 7,900 individuals in FFY 2007, have grants of similar size (\$13 to \$17 million) from the Rehabilitation Services Administration, and are largely rural states with less than 1.5 million total population.<sup>15</sup> It should be noted that the VR agencies in both Montana and New Hampshire serve individuals with blindness and visual impairments under a single combined agency, unlike Maine, Idaho and Vermont where these individuals are served by a separate unit. Also, Maine was the only state among this set of peers with a waiting list in effect during FFY 2007.

The employment rate among individuals whose cases were closed after receiving services in FFY 2007 varied 51% to 68% as seen in Chart 17. Maine has the lowest overall rehabilitation rate among its peer states.

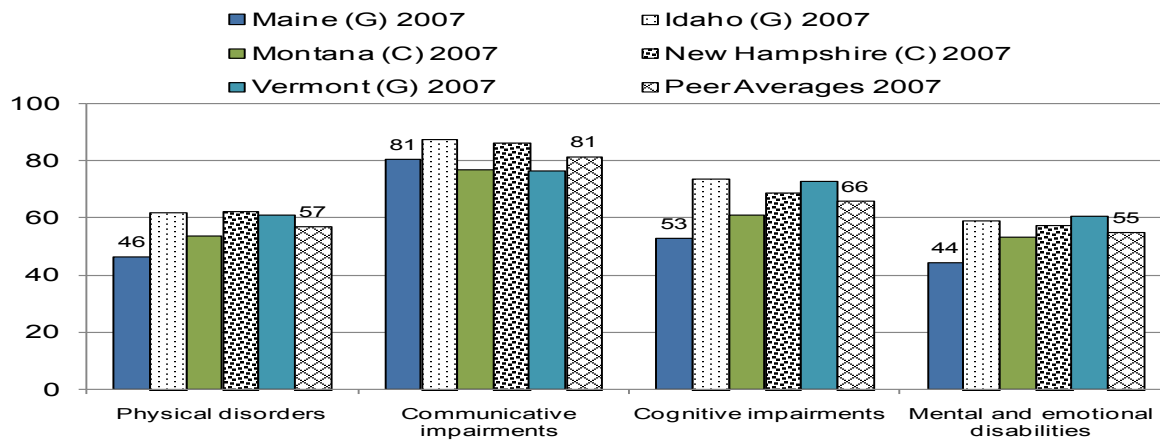
**CHART 17**  
**Rehabilitation Rate, FFY 2007**



<sup>15</sup> RSA Annual Review Report Table 1: Program Highlights, FFY 2007.  
Available at: [http://rsamis.ed.gov/quick\\_tables.cfm](http://rsamis.ed.gov/quick_tables.cfm)

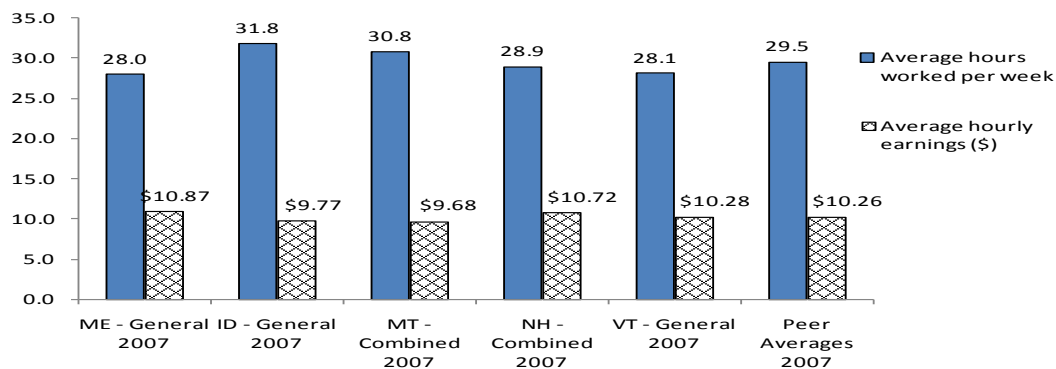
Breaking out the FFY 2007 rehabilitation rate by disability type, we see that the same general pattern observed in Maine exists in all the peer states in Chart 18; individuals with communicative impairments tend to have the highest rehabilitation rates, and those with mental and emotional disabilities tend to have the lowest. (Note that individuals with visual impairments are not included in these figures.) Compared with the peer state average (far right bar), Maine's rehabilitation rates (far left bar) are significantly lower for three of the four disability types. Only among individuals with communicative impairments does the Maine rehabilitation rate match its peers.

**CHART 18**  
**Rehabilitation Rate by Disability Type**  
**FFY 2007**



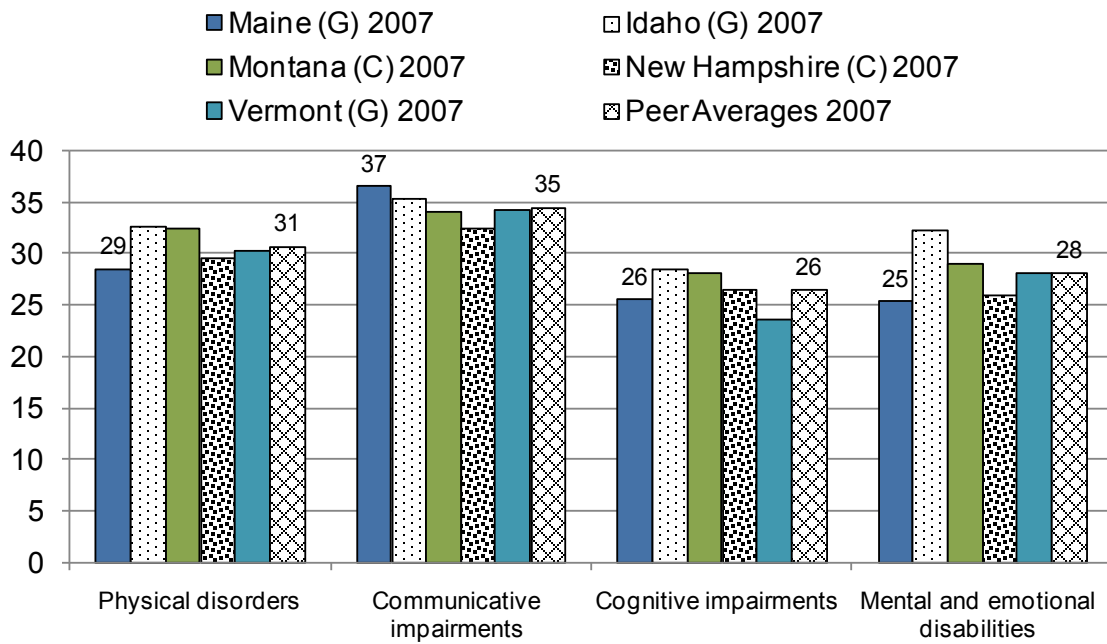
Among successful closures, Maine has the lowest average hours worked per week, but average earnings are actually the highest among any of its peer states Chart 19.

**CHART 19**  
**Average Hours per Week and**  
**Hourly Earnings for Successful Closures, FFY 2007**

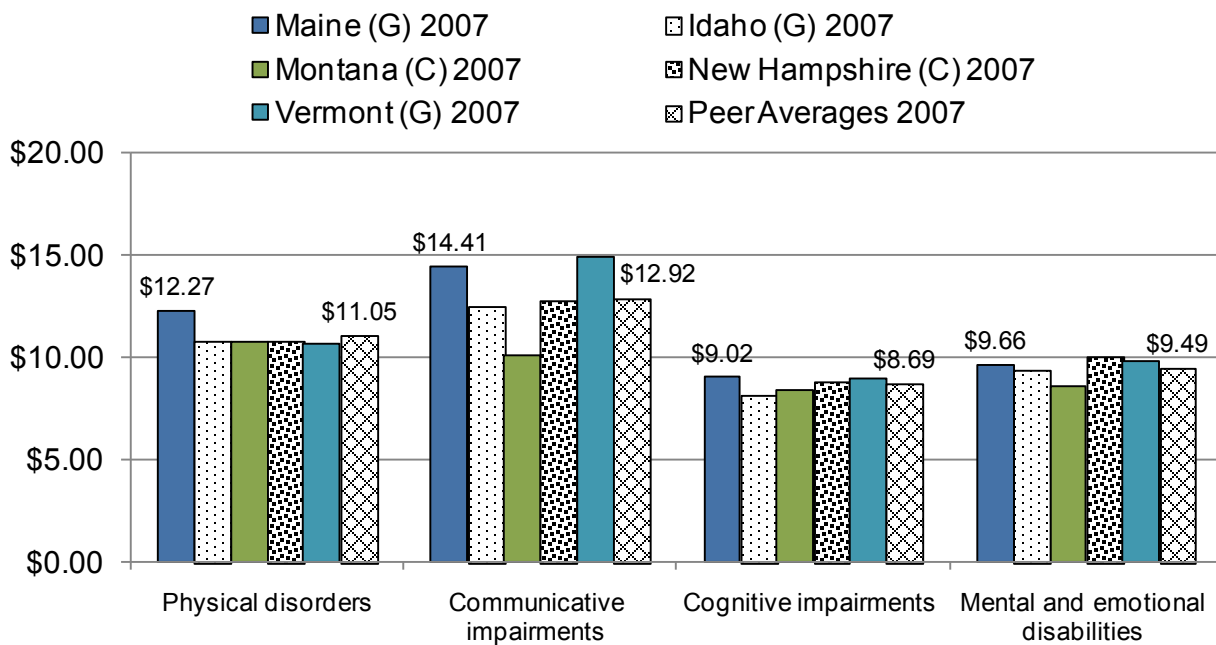


Again breaking out the employment outcomes among successful closures by disability type, Charts 20 and 21, we find that in terms of average hours worked per week, Maine lags its peers only for clients with physical disorders and those with mental and emotional disabilities. Maine actually exceeds the peer averages among those with communicative impairments. And we find that average hourly earnings at case closure in Maine exceed the peer state average by more than \$1 among those with physical disabilities, and among those with communicative impairments.

**CHART 20**  
**Average Hours per Week for Successful Closures**  
**by Disability Type, FFY 2007**

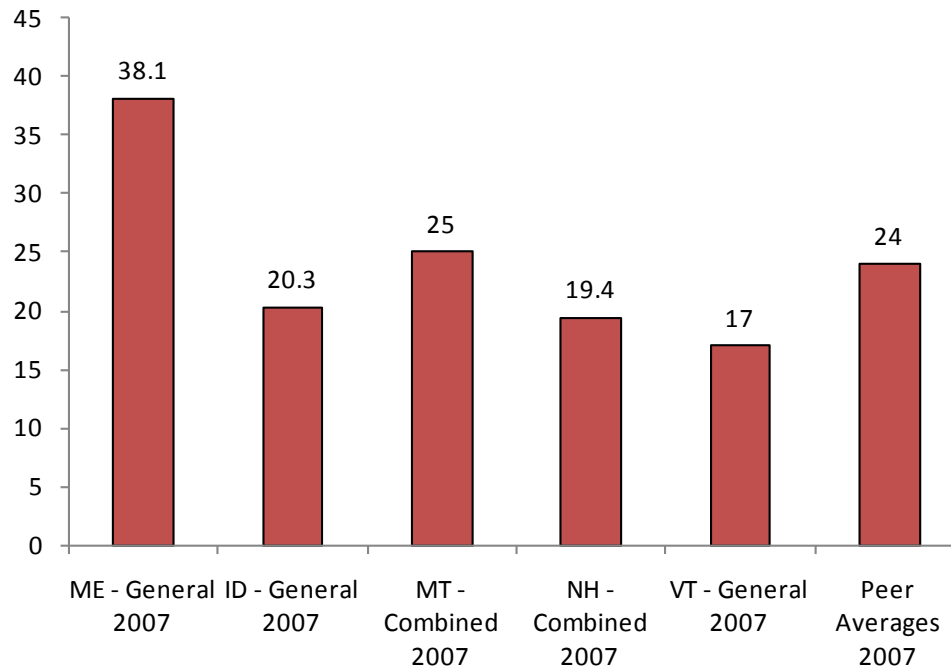


**CHART 21**  
**Average Hourly Earnings for Successful Closures**  
**by Disability Type, FFY 2007**



Compared to its peer state VR agencies, Chart 22, DVR clients with successful employment outcomes spent an average of 14 months longer in the VR process.

**CHART 22**  
**Average Time (in Months) between Application and Closure**  
**for Individuals with Successful Employment Outcomes, FFY 2007**



## VI. DISCUSSION

Although challenged by an economic recession and severe state budget shortfalls, DVR continues to provide vocational rehabilitation services to thousands of Mainers with disabilities each year. In an effort to conduct a Comprehensive Statewide Needs Assessment, DVR and its State Rehabilitation Council gathered and analyzed a wide range of information, including the agency's own performance data, existing disability population statistics, disability population projections, and input from stakeholders.

As with the 2006 Needs Assessment, individuals served by DVR are generally very satisfied with the services that they receive and report feeling that they are treated with dignity and respect. In the last three years, however, increasing frustration has been noted with the wait for services and counselor turnover. Although time spent on the waiting list stabilized at six months, time to develop an employment plan (IPE) has increased. The overall average of time from application to closure is over three years, which is significantly longer than other peer states.

In terms of case service expenditures, job development and college or university training remained DVR's highest cost areas, consistent with the findings in 2006. Of note, is that a secondary analysis of the agency's post-secondary expenditures found that individuals who were able to complete a post-secondary degree or certificate were more likely to find and keep a job, achieve fulltime employment and have a higher income.

In considering the information provided by the Consumer Satisfaction Survey and various stakeholder inputs, things noted include: establishing clear expectations with consumers on what they can expect from the VR process; the importance of timely communications and the availability of counselors to respond to individual needs; the challenges of Maine's inadequate transportation system; insufficient career exploration, job fit and range of employment options; and unfamiliarity of general VR Counselors with specific disabilities and impairments.

In the areas of unserved and underserved groups, existing disability population statistics suggest that Maine has a large population of individuals with disabilities, including those receiving SSI and/or SSDI, who might benefit from services through DVR. Additionally, two other groups were identified in the assessment that should be anticipated as needing VR services in the future. The first is students with disabilities identified by the Department of Education as needing career services and education upon exiting high school. Many of these students have been identified as having Autism Spectrum Disorder. The other group is Veterans returning from Iraq and Afghanistan who have sustained injuries and are in need of vocational rehabilitation services.

Services to minorities with disabilities in Maine have always been a challenge to DVR. DVR has long attempted to provide services to the state's Native Americans and after several attempts, successfully supported the Houlton Band of Maliseets to be awarded a five-year Section 121 grant award in FY 2009. Through a memorandum of understanding, DVR has an opportunity to better serve tribal members. While the population of other minority groups is slowly increasing in Maine through resettlement programs and migrant employment, DVR outreach has not always been accepted or understood. DVR staff could benefit from continued cultural sensitivity training specific to the individuals in Maine, like the Somalis in Lewiston.



## VII. RECOMMENDATIONS

Maine's Division of Vocational Rehabilitation is embarking on a major initiative to eliminate the wait list and provide the "right service at the right time" to its consumers. Maine DVR plans to go "back to the basics" by evaluating each major process point with consumers. DVR has identified these points as: "Entering the VR System", "VR Plan Development", "VR Plan Accomplishment" and "Exiting the VR System". The goal is to provide services to all eligible consumers at the time that they need them to achieve competitive, community-based employment.

This Comprehensive Statewide Needs Assessment lends strong support to the importance of DVR's initiative and clarifying its purpose, targeting resources, engaging other service providers, and streamlining services. As DVR proceeds, it is recommended that:

- DVR review all the materials shared with consumers to ensure that they are clear about the agency's purpose and are accessible in multiple formats, both linguistically and culturally.
- VR Counselors and community-based agencies engaged to provide employment services be provided training to increase skills in serving specific disability and ethnic populations.
- DVR address the high numbers of individuals in Plan Development (Status 10) with a focus on those who drop out of the program and how the determination of a vocational goal can be improved, including through better career exploration.
- DVR implement a community rehabilitation provider "report card" in compiling and communicating employment outcome results.
- A Memorandum of Understanding (MOU) with the Veteran's Administration be developed to better coordinate services for returning Vets with disabilities.
- The MOU with the Department of Education be reviewed and revised as necessary to more efficiently serve students with disabilities in the transition to adulthood.
- DVR evaluate and address issues in its case closure processes and recidivism.