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Maine State Rehabilitation Council 2002 Annual Report, October 1, 2001 - September 30, 2002

Maine Department of Labor

Maine Rehabilitation Council

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MAINE STATE REHABILITATION COUNCIL

Helping to put people together with the services they need



2002 ANNUAL REPORT

October 1, 2001 - September 30, 2002

Maine State Rehabilitation Council

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Mission

The Mission of the State Rehabilitation Council is to partner with the Division of Vocational Rehabilitation in the development of state goals, priorities, policy, and practice, and to review and analyze the division's results and performance in support of securing and maintaining integrated employment, through a process of informed choice, for individuals with disabilities.

Maine State Rehabilitation Council



December 2002

To The Citizens of Maine:

On behalf of the Maine State Rehabilitation Council (Council), I am pleased to present the 2002 Annual Report. The Council is responsible for advising the Maine Division of Vocational Rehabilitation (DVR) on its policies, goals, priorities, and success related to providing employment opportunities for Maine citizens with disabilities.

As is highlighted in this document, the Council had a successful year and maintains a very good working relationship with the DVR. While there were many accomplishments identified this past year, there were also differences between the Council and the current administration on several key issues. Consequently, a new section named "Unresolved Issues and Areas of Concern" has been added to this year's annual report. The new section details the issues and concerns, as well as the Council's position and recommendations.

Additionally, as a result of the Council's annual planning process, strategies were identified that will ensure more effective communication among the Council, DVR, and the new administration. The Council looks forward with optimism to a strengthened relationship with these stakeholders in order to benefit Maine's citizens with disabilities.

Sincerely Yours,

A handwritten signature in blue ink that reads "Peter C. Dyer". The signature is fluid and cursive.

Peter C. Dyer, 2001-2002 Chair
Maine State Rehabilitation Council

Maine State Rehabilitation Council



ANGUS S. KING, JR.
GOVERNOR

STATE OF MAINE
DEPARTMENT OF LABOR
DIVISION OF VOCATIONAL REHABILITATION
150 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0150

VALERIE R. LANDRY
COMMISSIONER

December 2002

To All Maine Citizens:

The Maine Department of Labor, Division of Vocational Rehabilitation (DVR) recognizes the State Rehabilitation Council's critical role in working with us to improve employment opportunities for individuals with disabilities in Maine.

We have experienced major challenges during the past year with increasing number of individuals with significant disabilities who want to work but require comprehensive vocational rehabilitation services in order to secure employment. During this time of increasing needs, no additional resources are available. As a result, DVR in collaboration with State Rehabilitation Council determined that it was necessary to implement a waiting list for all eligible clients. The Council has assisted us in monitoring the waiting list and determining when additional individuals can be taken off the waiting lists. A joint group of Council members and DVR leaders have met on a monthly basis to explore ways to improve program effectiveness and consistency in assisting eligible individuals with disabilities obtain high quality employment on a statewide basis.

The challenges the Council and DVR has faced in previous years, has renewed our commitment to improve communication and collaboration with the Council. We believe real progress has been made during this past year with increased Council representation on work groups dealing with specific issues and focusing on long term strategic planning to address systemic issues.

We look forward to continuing to strengthen our partnership with the Council during the coming year and working with the Council to improve employment outcomes for Maine citizens with disabilities.

Sincerely,

A handwritten signature in blue ink, reading "Arthur P. Jacobson".

Arthur P. Jacobson, Acting Director
Maine Division of Vocational Rehabilitation



PRINTED ON RECYCLED PAPER

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Purpose

In complying with the Rehabilitation Act of 1973, as amended in 1998 that were contained in Title IV of the Workforce Investment Act of 1998 (WIA), the Maine State Rehabilitation Council (Council) was established in accordance to Federal Regulations governing the Rehabilitation Act. Under these regulations, (Title I of the Rehabilitation Act), the Council works in partnership with the Division of Vocational Rehabilitation (DVR) to review, analyze and evaluate the Maine State Vocational Rehabilitation Program.

Functions of the Maine State Rehabilitation Council (Council) include:

- Review, analyze, and advise the designated State unit regarding the performance of the State unit's responsibilities pertaining to:
- Eligibility, including order of selection.
- Extent, scope, and effectiveness of services provided.
- Functions performed by State agencies that affect the ability of individuals with disabilities in achieving employment.
- In partnership with the State agency, the Council is to help develop, agree to, and review State goals and priorities related to the evaluation and effectiveness of the rehabilitation program.
- Advise the State agency and designated State units and assist in the preparation of the state plan, the strategic plan and amendments to the plans, applications, reports, needs assessments and evaluation.
- Conduct a review and analysis of the effectiveness of, and consumer satisfaction with the state agency.
- Prepare and submit an Annual Report to the Governor.
- Establish interagency cooperation with other Councils within the state.

Council members are appointed by the Governor and serve terms not exceeding three years, and no more than two consecutive full terms. As required in the Act, the Council is composed of individuals from the following categories:

- ✓ State Independent Living Council;
- ✓ Parent Training and Information Center;
- ✓ Client Assistance Program;
- ✓ Community Rehabilitation Program Service Provider;
- ✓ Business, Industry and Labor;
- ✓ Disability Advocacy Groups, Current or Former Applicants, People with Disabilities;
- ✓ State Workforce Investment Board;
- ✓ Vocational Rehabilitation Counselors;
- ✓ Director of Vocational Rehabilitation; and
- ✓ State Education Agency.

In addition to performing the requirements outlined above, the Council may perform other functions it deems appropriate that remain consistent with Title I of the Rehabilitation Act.

Accomplishments

The Maine State Rehabilitation Council (Council) in partnership with the Division of Vocational Rehabilitation (DVR) was very busy in Fiscal Year 2002. The following provides detail to the accomplishments.

State Plan for Division of Vocational Rehabilitation:

Maine State Rehabilitation Council (Council) members have played an active role in the review of the State Plan, offering comments and suggestions to the Director of Vocational Rehabilitation. For the fiscal year 2003 State Plan, the Council recommended the Division of Vocational Rehabilitation (DVR) develop and implement a process for collecting outcome data, including consumer satisfaction of services received from Community Rehabilitation Providers (CRP). The Council also recommended the DVR develop a consistent survey instrument to be used by all CRP.

In order to ensure consumer choice, the Council recommended DVR develop a plan to address areas of the state where there are an insufficient number of CRP and making the data available to consumers so they may exercise informed choice.

The Council commented on the high turnover of DVR counselors and suggested the State develop a comprehensive exit interview process to gather information to determine the root cause of the high turnover. The results and resulting action plan should be shared with the Council.

Council Membership:

Accompanying the consumer satisfaction survey, Division of Vocational Rehabilitation (DVR) and the Maine State Rehabilitation Council (Council) mailed a joint letter informing individuals about the Council and ways to become involved. The response from the clients has been very positive and all letters of interest have been turned over to the Membership Committee.

The Membership Committee interviewed potential members and recommended several individuals to the Council. The Council voted and recommended these names be forwarded to the State Board and Commission Office for membership consideration. Due to the overwhelming response from the DVR clients, we have ceased to send out the letter and are waiting for acceptance and evaluation of the current nominees.

Council Training of Members:

This year the Maine State Rehabilitation Council (Council) has seen a marked increase of newly appointed members. To adequately prepare the new members as to their roles and responsibilities, the Council's Executive Committee developed an Orientation presentation, which was provided to all new members in June, 2002.

Active Collaborative Committees:

The State Rehabilitation Council (Council) members in collaboration with the Division of Rehabilitation (DVR) have actively participated on both internal and external committees that effect vocational rehabilitation services for people with disabilities in Maine. Examples of this involvement include:

- Informed Consumer Choice
- Comprehensive System of Personnel Development (CSPD)
- CARF
- Order of Selection
- Regional Manager Interview Team
- Request for Proposal (RFP) Evaluation Team for Client Assistance Program (renewal)
- American Disability Act (ADA) Coordinator Selection Team Participant

Customer Satisfaction Committee Survey:

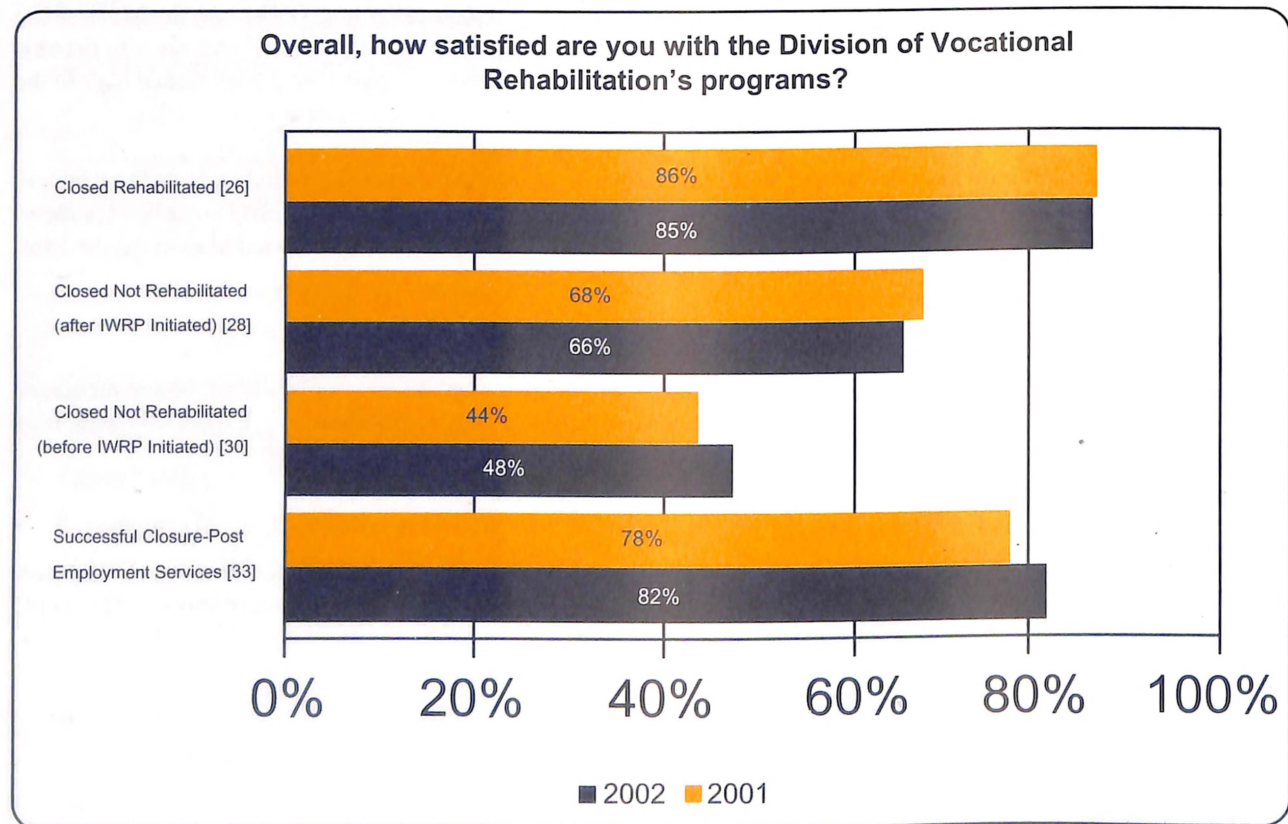
The State Rehabilitation Council (Council) has invested a considerable amount of time and resources satisfying and fulfilling our Federal mandate to assess consumer satisfaction of Division of Vocational Rehabilitation (DVR) services.

The Customer Satisfaction Committee is charged with the coordination and oversight of the dissemination of the joint Council-DVR survey. Their responsibility is to make sure the mailed survey is accessible to all persons with disabilities and continue to develop strategies to improve the response rate.

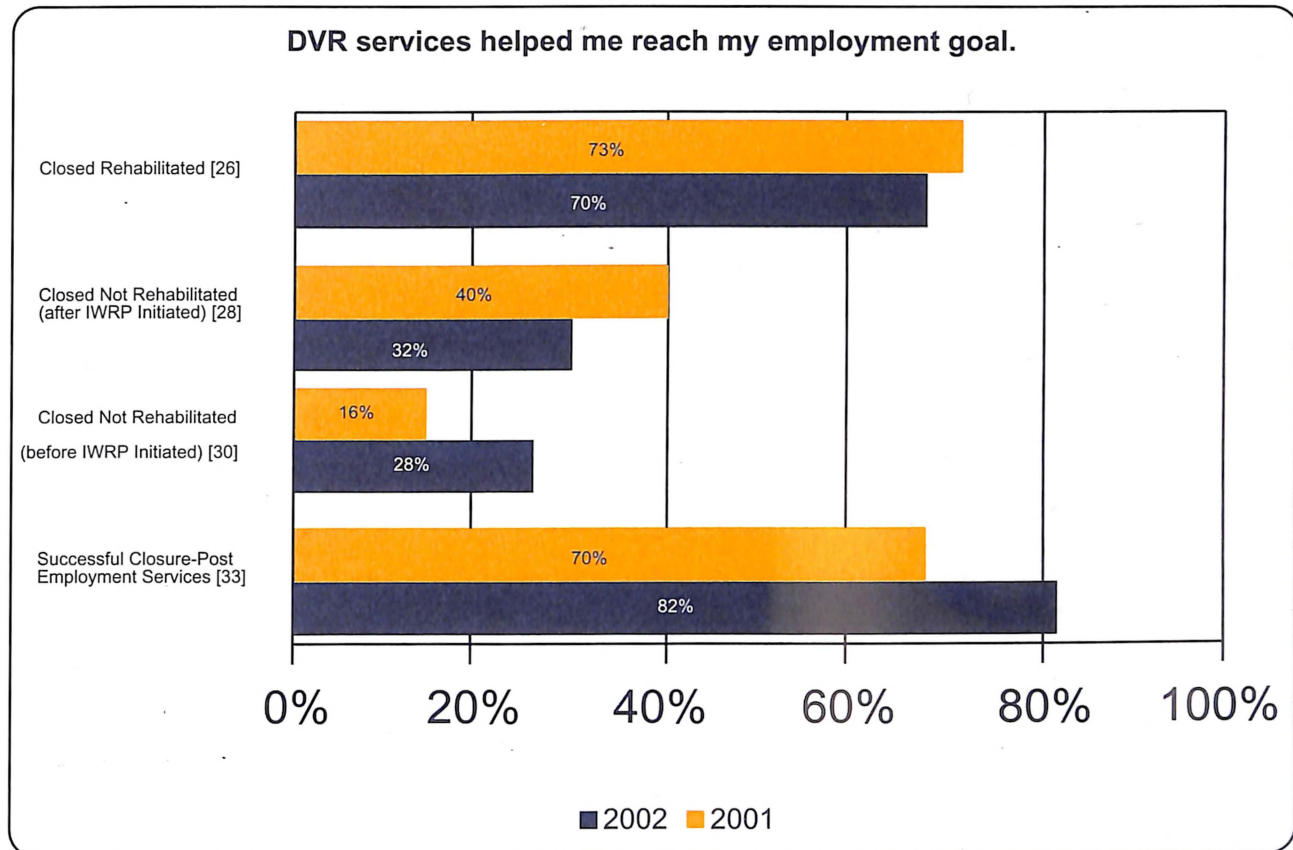
The Committee, exploring other methods to obtain customer feedback for continuous quality improvement, created a sub-committee. This sub-committee working in partnership with DVR, created and developed a Consumer Satisfaction Survey video for the people with hearing impairments which included spoken and sign language. Also, along with this video the joint sub-committee implemented a new format to the survey for people with hearing impairments which includes symbols / pictures to help people understand the meaning of the answers.

To determine the success of the DVR, the Council has tracked various elements of the survey. Following are two of the questions asked to customers tracked by the Council.

Satisfaction of the Division of Vocational Rehabilitation Program.



Has the customer reached their employment goals.



The graphs indicate customers are satisfied with the level of service they are obtaining from DVR. The overall approval rating may have dropped slightly, but that can be attributed to the implementation of "Wait List" due to the lack of resources. The DVR Management Staff has worked diligently to keep the wait as brief as possible. One of the major reasons the DVR is doing so well is due to the counselor / client relationship.

Participation at the Regional and National Conferences for CSAVR:

Representatives of the Maine State Rehabilitation Council (Council) and the Division of Vocational Rehabilitation (DVR) attended the Council of State Administrator of Vocational Rehabilitation (CSAVR) 2002 Spring Conference in Washington D. C.

The title of the conference was A New Beginning and approximately 300 individuals attended. The agenda included:

- Reauthorization of the Rehabilitation Act
- Partnership
- Transition Services
- Importance of Strong Consumer Organizations
- Consumer Choice in the DVR Process

Council and DVR representatives met with Maine's congressional delegation: Representatives Tom Allen and John Baldacci, Senator Olympia Snowe and a representative for Senator Susan Collins. Council members were particularly impressed with Representative Baldacci who was very well prepared and was extremely interested in the oversight role of the Council and the role of the Client Assistance Program.

Unresolved Issues and Areas of Concern

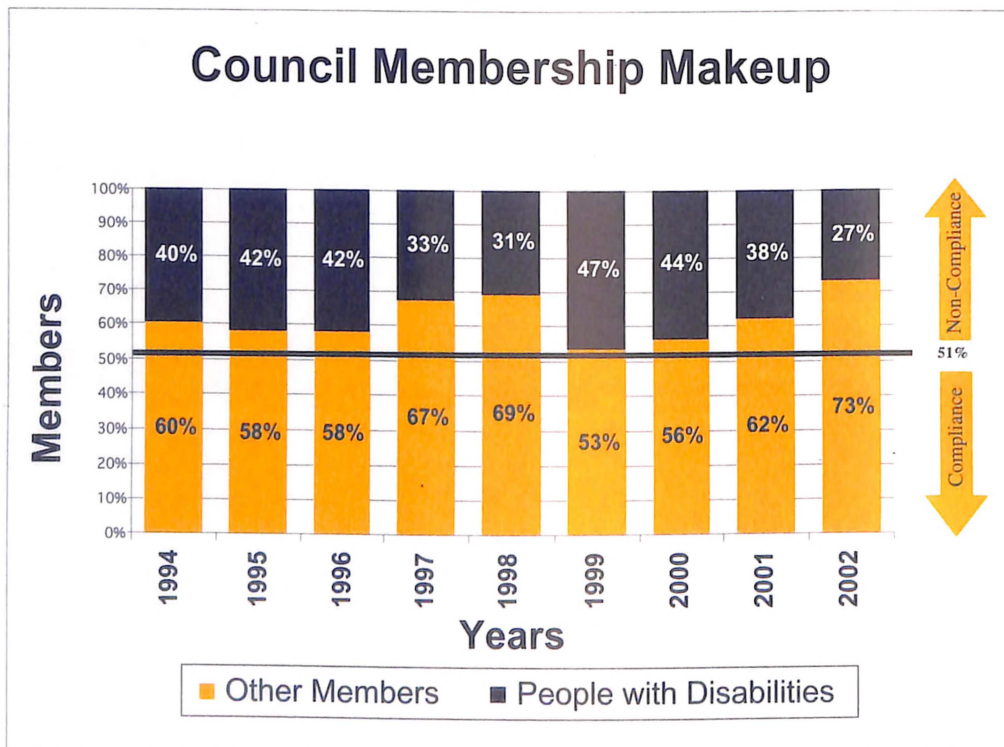
As of September 30, 2002, several unresolved issues and areas of concern were identified by the Council and are described below.

I. The Maine State Rehabilitation Council (Council) membership and responsibility.

A. Council responsibility - In 1992, the Federal Government mandated that all states create a consumer-based State Rehabilitation Council (Council) where people with disabilities fill the majority (at least 51%) of the seats.

In 1995, the legislature passed a bill determining that newly appointed Council members serve in an advisory capacity and eliminated the dedimus justice procedure. In 1998, the Federal Regulations were revised to replace the word "advisory" with the word "partnership" implying the Council was given additional authority and responsibility to work with Division of Vocational Rehabilitation (DVR). Governor King and his administration do not appear to be aware of the change in regulations as all communication from Governor King, the Bureau of Rehabilitation Services, and the Commissioner of Labor reference the Council in an advisory capacity.

B. Membership - The Federal regulations mandate 51% of our membership be individuals with disabilities. During the past year, the administration has identified and appointed several provider representatives which have created membership issues. In addition, the Council's own lack of initiative to fill required slots has compounded the problem. The chart below illustrates the number of consumer based Council members compared to the number mandated by Federal statute over time.



The percentage of individuals with disabilities are determined by self-disclosure, a Division of Vocational Rehabilitation (DVR) client, and / or meeting the definition under 34CRF, Part 361, Section 361.5. The total number individuals with disabilities was derived from the annual reports times 51%.

The Council recommends the following:

- The Director of Boards and Commissions, charged with processing membership recommendations for the Governor's review and appointment, must be familiar with and adhere to the Federal Regulation regarding membership requirements specified in Section 361.16 of the Rehabilitation Act.
- Include the Council in the process of recommending members for appointment to the Council by the Governor.

II. Informed consumer choice is the centerpiece of the Division of Vocational Rehabilitation (DVR) process and was expanded and strengthened in the 1998 Amendments to the Rehabilitation Act. Enhancing informed choice has become a particular focus of the Maine State Rehabilitation Council (Council).

However, the Maine State Rehabilitation Council (Council) and the King Administration disagree on certain policies and procedures related to informed consumer choice. The Division of Vocational Rehabilitation (DVR), working within the Maine Department of Labor (MDOL) has developed and implemented policies and procedures that are potentially detrimental to informed consumer choice over the past several years. The issues are as follows:

a) Placing a moratorium on approving new community rehabilitation providers and giving nonprofit providers preferential treatment.

Approximately a year and a half ago, the Division of Vocational Rehabilitation (DVR) imposed a state-wide moratorium on approving new community rehabilitation providers (CRP). Our concerns were twofold. First, the Council had no input into a decision that potentially has a significant impact on how VR services are provided in the state. And second, the Council is concerned that there is an insufficient number of CRP to give consumers adequate choice in certain areas of the state. The DVR's decision to limit the number of CRP is inconsistent with the most recent national data. Michael Callahan, President of Marc Gold Associates, examined the seven national Choice Demonstration Projects funded by Rehabilitation Services Administration between 1993 and 1998. His report (**The Meaning of Choice: Implications for Systems and Providers**) suggests that current traditional thinking must change in order for choice to become a meaningful part of the rehabilitation process. He specifically noted that traditional providers and DVR agencies were often reluctant to take on the challenge of choice. This research certainly suggests that enhancing informed choice requires a wider, rather than a narrower, array of provider agencies.

The implementation of a moratorium and adoption of CARF standards on new providers constitute substantive changes in the way DVR services are delivered and is contrary to the Council's Position Statement on Informed Consumer Choice (September 06, 2001). The Council has addressed its concerns in writing to the Commissioner of Labor, the Director of the Bureau of Rehabilitation Services and the Acting Director of the Division of Vocational Rehabilitation. The Council wants to emphasize that it is in favor of having standards for community rehabilitation providers. CARF is an adequate beginning to assure quality guidelines, but this decision should be made collaboratively with the Council and the public as integral partners in the process. To this end, the Council has the following recommendations concerning informed consumer choice:

- The Council must be an active participant in the development and implementation of any policy or procedure that are developed by the DVR that pertains to the provision of the DVR services, including issues affecting consumer services, options and choices.
- The state agency responsible for managing DVR services must make the availability of quality consumer choice options and opportunities a top organizational priority, and take specific steps to ensure that their policies and practices do not limit information, assistance or options that consumers need to make informed choices.

- The statewide moratorium on approving new providers should be immediately lifted, and replaced with a collaborative, open process that emphasizes enhanced provider options, and quality, integrated DVR services.
- b) **Adopting CARF Accreditation.**
- The Maine Department of Labor (MDOL) is now implementing CARF accreditation for all Community Rehabilitation Providers (CRP). National or state accreditation standards are a good start for assessing provider quality but may not be enough. The Council is in favor of standards but desired input into the process. However, the Council is concerned CARF standards could result in a reduction of CRP and less choice for consumers.
- CARF requires that each community rehabilitation provider be operating under the CARF standards for at least six (6) months prior to the accreditation process. The moratorium prevents new providers from being approved by DVR. In order to achieve CARF accreditation, an organization will have to operate out of pocket for six months with no guarantee of DVR approval. This severely limits the development of new providers, especially since there are areas of the state where there are an insufficient number of community rehabilitation providers.
- A related area of concern is the collection of objective, outcome-based consumer satisfaction information from CRP. For example, CARF requires CRP to collect consumer satisfaction data but does not mandate a particular format. In order for consumers to make informed choices, all CRP in the State of Maine should use the same methodology and reporting format. The State agency has an opportunity and responsibility to take a leadership role in the issue.
- c) **Division's Preference for Non-Profits.**
- It is the Council's understanding that the Maine Department of Labor (MDOL) prefers not-for-profit agencies because they are more established, provide quality services, are stable in the community and offer more safeguards and alternatives for consumers than do for-profit organizations.
- However, there is an absence of comparable evaluative data between community providers across the state, and no method has been established to conduct such assessments. An informal review of the not-for-profit agencies by the Council reveals that many of the for-profit organizations have been in existence for an extended period of time, and are considered stable and dependable. Furthermore, most for-profit agencies have a singular focus on integrated competitive employment, which are another state-federal agency priority and an important strength.
- The Council supports a full range of CRP, both not-for-profit and profit that are able to provide quality employment services for people with disabilities.

2003 Goals and Objectives

The Maine State Rehabilitation Council (Council) met at the Pine Tree State Arboretum in Augusta, Maine on September 19-20, 2002 to review the current year's accomplishments, to elect new officers, and to develop a Work Plan Fiscal Year 2003.

- Prepare and distribute the 2002 Annual Report detailing the Council's findings, outstanding issues, and recommendations.
- Assess Customer Satisfaction with vocational rehabilitation services, including provider services.
- Develop a positive working relationship with the new Governor and his Administration.
- Strategize a plan in conjunction with the Division of Vocational Rehabilitation regarding the development of comprehensive needs assessment criteria.
- Attend and actively participate in Council of State Administrator of Vocational Rehabilitation (CSAVR) conferences.
- Review and provide feedback on the State Plan for vocational rehabilitation services.
- Develop a plan and procedure to identify vocational rehabilitation issues before the Legislature and communicate the Council's position.
- Maintain the working relationship with the Division of Rehabilitation Management Staff.
- Clarify and define the Council's role in recruitment and training of new members to meet Federal Regulations.
- Collaborate with Division of Vocational Rehabilitation (DVR) regarding data from Community Rehabilitation Providers (CRP) to provide to consumers so they are able to exercise informed choice.

Officers for Fiscal Year 2003

At the September 2002 planning meeting officers were elected for the year. They are:

Marcia Cooper, Chair
Stephen Murphy, Vice Chair
Stephen J. Beam, Treasure

Council Members

Kevin Baack
Goodwill Ind. No. New England
353 Cumberland Avenue
Portland, ME 04101
Category: Provider

Marcia Cooper, Vice Chair
389 Swamp Road
Durham, ME 04222
Category: Consumer

John D'Amour, (non voting)
Rehabilitation Counselor
110 Main Street, Suite 1106
Saco, ME 042072
Category: DVR Counselor

Arthur P. Jacobson, Acting Director Division of
Vocational Rehabilitation (non-voting)
35 Anthony Avenue
Augusta, ME 04333
Category: Dir. of Vocational Rehabilitation

Janice Lachance
Maine Parent Federation
P.O. Box 2067
Augusta, ME 04338-2067
Category: Parent Training and Information Center

Betsy Morrison
Southern Maine Transition Council
196 Allen Avenue
Portland, ME 04103
Category: Department of Education

James Schmidt
136 Hathaway Lane
Rome, ME 04963
Category: Provider

J. Richard Willauer
27 South Grove Street
Augusta, ME 04330
Category: Community Rehabilitation Provider

Stephen J. Beam, Treasurer
C. A. R. E. S.
4C Winter Street
Augusta, ME 04330
Category: Client Assistance Program

Joesph Curll
Coastal Workshop
P.O. Box 637
Camden, ME 04843
Category: Provider

Peter C. Dyer, Chair
Central Maine Power Company
83 Edison Drive
Augusta, ME 04330
Category: Business, Industry and Labor

Albert Kolodji
LL Bean
449 Sligo Road
Yarmouth, ME 04096
Category: Business, Industry and Labor

Linda Mills
152 Silver Maple Terrace
Farmington, ME 04938
Category: Consumer & SILC Representative

Stephen Murphy
University of Southern Maine
400 Bailey Hall
Gorham, ME 04038
Category: Business, Industry and Labor

Elinor Weissman (non voting)
279 Main Street, Suite #1
Rockland, ME 04841
Category: DVR Counselor

Note: SRC meets monthly on the 3rd Thursday of each month from 1 - 4 p.m.



Maine
State
Rehabilitation
Council

