



# Pennsylvania Rehabilitation Council

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## **ZOOM Conference Call Meeting**

### **Full Council Meeting**

**November 16, 2021**

### **Approved Minutes**

#### **Council Members: Present (P) Not Present (NP)**

Jeanette Alexander (P)	Deb Arcoleo (NP)	Cindy Duch (P)
Paul Fogle (P)	Passle Helminski (P)	Michele Leahy (P)
Juliet Marsala (P)	Anthony McCloskey (NP)	Michelle Paonessa (P)
Kara Donatucci Pham (NP)	Laura Princiotta (P)	John Seely (P)
Susan Soderberg (P)	Susan Tomasic (P)	William Del Toro Vargas (P)
Rob Wallington (P)		

**Guest Speakers Present:** Ms. Vicki Gottlich, the Director of Administration for Community Living's (ACL) Center for Policy and Evaluation

**Office of Vocational Rehabilitation (OVR) Staff Present:** Beth Ann Fanning, Cheryl Novak, Lee Ann Stewart, Douglas Rand, Beth Harris, Shannon Austin, Jennifer Cave, Rod Alcidonis, Janice Mazzitti, Kim Robinson, Jessica Crum-Lasko, Rebecca Gardner, Ralph Roach, Jeremiah Underhill

**Project Staff Present:** Michelle Gerrick, Christopher Todd

**Moderator of Zoom Present:** Nichole Wade

**CART Present:** Yvonne Gordon

**Interpreters Present:** Libby Berlin, Rebecca Nice

**Guests Present:** Lynn Heitz (National Federation of the Blind), James Martini (PA Workforce Development Board), Tracey Turner (PA Workforce Development Board, Andrew Pennington (Pennsylvania Client Assistance Program), Eva Weiss (Temple University), Grace Cooper (Temple University), Matthew Seeley, Esq. (Pennsylvania Statewide Independent Living Council), Melissa Hawkins (Office of the Deaf & Hard of Hearing), Alexandra Hermann (Disability Rights Pennsylvania), Rhonda Schwartz (Administration for Community Living), Kim Runnels (Administration for Community Living)

**Convene the Meeting – Ms. Passle Helminski, Chair**

- **Roll Call**

- **Welcome & Introductions**
- **Mission Statement**

### **Agenda Additions / Approval of Today's Agenda**

- There were no additions to the agenda.

*Mr. Robert Wallington motioned to approve today's agenda. Ms. Sue Soderberg seconded the motion. All were in favor.*

### **Office of Vocational Rehabilitation (OVR) Director's Report Ms. Shannon Austin, OVR Executive Director**

- Ms. Shannon Austin reported there is a new hybrid telework agreement with OVR staff, a OVR hiring freeze has been lifted and over 100 positions have been approved since late spring 2021, continued staff shortage due to retirements, staff movement, and statewide employment shortage, currently hiring for Chief Financial Officer, bureau director, with many other positions at various stages of the hiring process.
- Reported progress of the Rehabilitation Services Administration (RSA) corrective action plan through engagement with three technical centers to assist with training, policy development, streamlining, and technical assistance.
- Currently developing a Memorandum of Understanding (MOU) with the Bureau of Special Education to establish team navigator positions. Also developing provider agreements with non-profits and intermediate units for youth ambassador positions that will allow up to 4 high school students per unit for 10 to 20 hours a week at \$10.35 an hour hopefully beginning in January 2022.
- Reported continued heavy involvement with Employment First.
- PVR applied for a seed grant in May 2021 for action labs in conjunction with the National Governor Association within the U.S. Department of Labor. This project will also involve the Office of Administration and State Workforce Development Board.
- Reported continued assessment of district offices, consistency across technology and hardware, and working closely with Supportive Employment and Pre-ETS.
- Mr. Rob Wallington inquired about the onboarding requirements for students chosen to participate as youth ambassadors.
- Ms. Shannon Austin reported that students must have an open case, status 2 or above, can be identified by school districts, intermediate units, or Vocational Rehabilitation counselors. A flyer with more information will be published soon.
- Ms. Juliet Marsala inquired why 4700 customers on the waiting list had their cases closed and were removed from the waiting list prior to the development of an Individual Plan for Employment (IPE) after the Order of Selection (OOS) was reopened.
- Ms. Shannon Austin reported that some of it is pandemic related, health and safety concerns, and customers may have obtained gainful employment as wages and

employment opportunities continue to rise. There have been a few changes in the referral process to make it more efficient by immediately assigning counselors, meeting at sites and in person, and conducting meetings by phone to assist with the application. In determining eligibility RSA allows for about 90 to 120 days. After attempting outreach if the customer does not reply OVR needs to close the case. Now that OOS is reopened OVR is better equipped to provide services when the customer is ready to come back into the system.

- Ms. Michele Leahy inquired about the availability of an online application for OVR services, concerns of overpayment as wages have increased, and if students will be offered benefits counseling.
- Ms. Shannon Austin reported that customers have access to a pre-application online, continued efforts to resolve technical issues and streamline technical support on the website and on location. Reported that many customers have no access to technology and applications are also emailed upon request, there is also a central phone number for customers to call with any questions. Customers that receive benefits from SSI, SSDI, Housing or others are assessed for eligibility status and referred to benefits counseling on the front end of services. Reported students or anyone entering OVR services are offered Benefits Counseling Services.
- Ms. Cindy Duch inquired if OVR is collecting data that is broken down by race, ethnicity, and disability for students and others receiving services.
- Ms. Shannon Austin reported that in conjunction with Case Management Unit, Act 26, Act 36 they are collecting data as part of their Corrective Action Plan. OVR is also working with contractors and their data team in various areas of outreach for those who may be underserved or unserved including various backgrounds such as Hispanic and African American communities and the deaf and hard of hearing, deaf blind, adjudicated youth, and areas where OVR has an MOU in place to better understand and develop strategies to connect with these communities and ensure services are being provided. These efforts are also being incorporated in the Comprehensive Needs Assessment.

**Presentation on American Rescue Plan Act (ARPA) and the proposals surrounding increased Medicaid's Federal Medical Assistance Percentage (FMAP) funding for Home and Community Based Services Ms. Vicki Gottlich, the Director of Administration for Community Living's (ACL) Center for Policy and Evaluation**

- Ms. Vicki Gottlich of the Administration for Community Living reported their mission is to maximize the independence, wellbeing, and health of older adults and people with disabilities and their vision is for all people regardless of age and disability to live with dignity, make their own choices and participate fully in society which includes employment. Reported that the American Rescue Plan of 2021 and specifically Section 9817 provides an increased 10% federal match in payments for home and community-based services (HCBS) expenditures. These funds will be available to use until March 31, 2024 to increase Medicaid HCBS services. Pennsylvania estimates that they will use

\$12.2 billion for qualified services which will result in more than a \$1.25 billion total of enhanced investment in HCBS, case management, and rehabilitation services. The Pennsylvania proposal includes strengthening the direct support workforce, enhanced HCBS services, technology innovation, implementing stakeholder feedback, enhanced assistive technology, expanded consolidated waiver services, and enhancing services and funding for housing, behavioral health, direct support workers, transition, and more.

- After the state submits their plan CMS reviews and determines if the state will receive approval to begin requesting the additional matching payments. Pennsylvania was approved but was asked to provide additional information on some of the proposed initiatives on the enhancement of HCBS.
- Each state is required to provide quarterly spending plans. CMS is currently reviewing the first quarter plans and states will have the opportunity to adjust spending plans.
- Pennsylvania is asking for enhancements to home and community-based waiver services in its 9817 enhanced home and community-based Medicaid. Those who receive services from the Medicaid buy-in for workers with disabilities may be able to benefit from some of the enhancements that Pennsylvania is proposing. What makes Pennsylvania a leader in the area of Medicaid buy-in for workers with disabilities is that in July, the governor signed into law a piece of legislation that will expand the Medicaid buy-in program to workers 65 and older as well as allow an increase in earned income for these individuals, so both of those programs are really important to help promote employment.
- Ms. Michele Leahy informed the speaker about a disconnect and lack of information being provided for end users who may be eligible for employment services and benefits counseling through Medicaid, HCBS, and the waiver, and inquired how these concerns are being addressed.
- Ms. Vicki Gottlich informed attendees they are aware of this disconnect not only in Pennsylvania but in many states throughout the country and will provide this information to her organization. Agreed to also discuss working on employment initiatives, education for Medicaid, waivers, buy-in and other services with her organization.
- Ms. Juliet Marsala stated that in reviewing many state plans for ARPA she has noticed a lack of coordination between state and federal agencies and a lack of dedication to employment services. Also hopes that employment will be more emphasized by the ACL nationwide and noted funding the scholarships of increasing certified care specialists, grants for HCBS providers, and interoperability across all social services would be beneficial.
- Ms. Vicki Gottlich stated a goal in the ACL is to share examples for all states of various plans for employment services from a state plan with a focus on employment. ACL continues to work on interoperability to connect social services with other services and agencies that receive ACL funding.

**Update on Draft of State Plan Two Year Modification Ms. Lee Ann Stewart, OVR Division Chief of Policy, Staff Development & Training**

- Ms. Lee Ann Stewart informed attendees that when information was added to the State Plan's 2-year modification another Public Comment period and meeting must take place before the Council and the State Board can provide approval. Information that is being added to the State Plan includes Workforce Development on an MOU to also utilize disability employment navigators, MOU with the Office of Administration to explore information technology accommodation positions, expanding provider agreements for project search in the South Central Pennsylvania region, MOU is being considered with the Office of Administration for the development of career transition professionals, and additional apprenticeship expansion. All additions and changes will be highlighted for the Council on a draft of the State Plan before voting in late January.

**Report on the Comprehensive Statewide Needs Assessment (CSNA) Eva Weiss / Grace Cooper, Temple University**

- Ms. Eva Weiss reported that the following were surveyed to reach target goals for the RSA and the PaRC; individuals with the most significant disabilities across disability types and across different sections of society, supportive employment, transition age youth and students, both customers and non-customers, both pre employment transition services and transition services. Also required to gather primary and secondary data from individuals for minoritized communities, such as Black, indigenous and people of color, unserved and underserved populations by the VR program. COVID was a factor in collecting data and they adjusted planning and processes accordingly.
- Reported results of Pennsylvania has a slightly higher rate of disability prevalence, with the greatest disparity for population of youth from age 5 to 17. The rate of employment of people with disabilities in Pennsylvania and the United States is comparable. Community Rehabilitation Programs (CRP) are interested in more referrals, taking on more work, considering supportive limit payment model, looking for more financial support for training, individualized trainings to better suit their individual customer's needs as opposed to a generalized training, more time to complete the trainings or a deferral of training until new staff are onboarded and have hands on experience.
- Provided a link for the incentivized survey and information for Youth and Transition services with expected results after the survey closes on 11/30/21;  
<https://forms.office.com/r/fw7aBWt9jz>
- Reported that in terms of minoritized and marginalized communities, comparison between Pennsylvania and the U.S. is largely similar except that Pennsylvania does have higher rates of disability in the American Indian and Alaska native, Black or African American and Hispanic or Latino populations and that terminology is pulled from the census, also noted a significant increase in disability rates among native Hawaiian and other Pacific islander and some other race in recent years, between 2017 and 2019 there has been a significant increase in comparison to U.S. averages.
- Reported that the needs identified for minoritized communities in Pennsylvania are access to quality education, employment, housing and health care, equitable disability

diagnosis, resources and supports. There have been higher rates of disability diagnosis along the Black, Indigenous, and People of Color (BIPOC) population but less provision of services, particularly in early intervention and school aged children.

- Reported that the most underserved communities are people in rural areas, people with mental health needs, people who are blind or visually impaired, people with autism spectrum disorder, people involved with the justice system, deaf people or people who are hard of hearing, racial or ethnic minorities, people with intellectual disabilities, non-English speakers or English nondominant speakers.
- Reported that people who now have the least need identified by providers in Pennsylvania, are people with developmental disabilities, people with physical disabilities, people with neurological disabilities, people with substance use disorder, seniors, transition age students or youth, and veterans.
- Mr. Paul Fogle inquired about the reported disparity between Pennsylvania's youth and transition students and the nation and how that disparity is reflected racially.
- Ms. Eva Weiss reported that data from NCI, census, Durkin showed between 2016 and 2019, 52% of Black children had a diagnosis of behavioral and emotional disorder with onset usually occurring in childhood and adolescence group compared to 41% of children in other racial groups and reported that there's a correlation with poverty, systemic racism, underemployment, unemployment, lack of educational supports, and parental education attainment and what's significant is not the greater diagnosis or the greater prevalence that's been identified but a lack of service.
- Ms. Michelle Paonessa inquired how the survey is sent.
- Ms. Eva Weiss reported that the surveys are sent digitally through agencies providing services such as CRPs, OVR, Pre-ETS, newsletters, and other networks and that accommodations are provided for anyone who requires them.
- Ms. Michelle Paonessa inquired how people who are deaf, or blind would know about the surveys and the accommodations available.
- Ms. Eva Weiss reported that the surveys are sent through providers who are able to provide information and access.
- Ms. Passle Helminski inquired if they advertised for the surveys through the Office of Deaf and Hard of Hearing.
- Ms. Eva Weiss reported that the survey was completed through their list/network of CRP providers, staff, and contacts provided by OVR.

### **Overview of 14 © Certificates Ms. Kim Robinson, OVR Division Chief of Transition and Section 511**

- Ms. Kim Robinson reported that there are 6053 individuals participating in 14(c) that are active and tracked in the CWDS system. About 3800 of those individuals received 511 outreach during the last program year. 1600 individuals have either left the facility permanently or have not chosen to return. Reasons for this are believed to be staff

shortages and concerns/risks/restrictions of COVID-19. Down from about 400 in a typical year, only about 135 participants chose to apply for OVR services in the last program year because of the pandemic.

- OVR is collaborating with the Office of Developmental Programs on transformation contracts and put forth a contract with national subject matter experts and they are providing mentoring services to 14(c) facilities who are willing to consider transforming their facility-based services to community-based services. There are currently 15 providers who have chosen to participate. Ten are currently supported employment providers, and then there are five additional providers who are not working with OVR for supported employment services but are participating in this transformation contract, with the hope that they will choose to enter into provider agreements with OVR for supported employment services as part of this mentoring process with the subject matter experts. Providers are dispersed across the state.
- OVR Transition and Section 511 division is also working as a collaborative group and meeting regularly with the business services unit, and ODP to discuss the potential to launch innovation and expansion contracts in the Summer of 2022, to help build capacity of supported employment providers.
- Ms. Cindy Duch inquired about the average age of those in sheltered workshops and information regarding placement of youth in transition services.
- Ms. Kim Robinson agreed to research data on transition services and age for sheltered workshops. Reported that they are meeting to create a survey soon and will include that information on the survey.

**OVR Counseling Benefits Ms. Janice Mazzitti, Rehabilitation Specialist (Annuitant)  
Labor & Industry | Office of Vocational Rehabilitation Bureau of Central Office |  
Contracts and Grants**

- Ms. Janice Mazzitti reported growth of services to be in 2019 there were 23 individuals served, in 2020 there were 30 individuals served, and in 2021, through the beginning of October, there were 116 individuals served. Services are provided in-person and virtually. Virginia Commonwealth University and Cornell University are providing certified training for benefits planning. Certifications are required to be updated annually. Information is included in the provider agreement and a series of meetings are required during the time services are being provided.
- Ms. Michele Leahy inquired if services are being provided pre- or post-employment and how benefits counselling needs are being met, and if any OVR staff are being certified.
- Ms. Janice Mazzitti reported that services are offered during the development of the IPE, given a referral, and meetings are held with the OVR counsellor. The customer and the counselor work together to decide when they begin and end the counselling. Will need to gather more information from benefits counsellors to provide additional details.

- Mr. John Seely inquired where in the state counsellors are located and if there is a liaison for OVR and counsellors.
- Ms. Janice Mazzitti stated there are two on the east and one in central Pennsylvania and there is currently no liaison she is aware of and will reach to staff for more information.

### **PaRC Fiscal Report Mr. William Del Toro Vargas, Member at Large**

- Ms. Michelle Gerrick (staff) reported that the PaRC operating budget continues to remain at \$83,000 for the year. July expenses totaled \$476.66, August expenses were \$1,396.93, and September expenses totaled \$1,352.08, bringing the first quarter expenses to \$3,225.67. Expenses have been lower due to the ongoing concerns with COVID-19. All meetings remain virtual. As a result, there were no expenses relate to travel accommodations in the first quarter, which is the council's largest expense.

### **Discussion/Approval of Consent Agenda**

- **Approval of the August 25, 2021 Full Council minutes**
- **Approval of Reports/motions**
- **Social Media Committee's recommendation of new PaRC logo**
- **Recommendations by the Executive Committee to include:**
  - **Conducting virtual meetings for the last 2 meetings in fiscal year 2021-2022 (February 2022 and May 2022) with the intent to pursue in person or hybrid meetings for fiscal year 2022-2023 (beginning with August 2022 FC meeting)**
  - **Developing Ad Hoc Committee to evaluate meeting preparedness, readiness and best practices of in person or hybrid meetings**
  - **Best practices of returning to in person or hybrid FC meetings beginning fiscal year 2022-2023 to be included on February 2022 FC meeting Consent Agenda**
  - **In person attendance of Juliet Marsala and Michele Leahy at the Home and Community Based (HCBC) Conference December 6-10 in Baltimore Maryland pending approval of out of state travel from the Governor's office**
  - **PaRC Committee's continuation of adhering to the Sunshine Act as supported by UCP's Solicitor**



- **Forwarding Andrew Pennington’s resume to OVR/L&I/Governor’s office for approval of CAP representative on the Council**
  
- **2020-2021 Annual Report**

*Mr. Robert Wallington motioned to approve the Consent Agenda. Ms. Juliet Marsala seconded the motion. All were in favor.*

**PUBLIC COMMENT**

- Ms. Passle Helminski provided public comment that if you do not have access to in-person, online, District Offices, or other ways to contact OVR staff the Central Office does answer calls statewide and you can apply for OVR services within ten minutes.

**ADJOURN**

*Ms. Cindy Duch made a motion to conclude the Full Council Meeting. Mr. John Seely seconded the motion. All were in favor.*

The meeting was adjourned at 12:16 PM.