



Pennsylvania Rehabilitation Council (PaRC)

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Full Council Quarterly Meeting February 15, 2023 Minutes

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

Jeanette Alexander (P)	Julia Barol (P)	Lorie Brew (P)
Paul Fogle (P)	Lynn Heitz (P)	Jessica Keogh (P)
Michele Leahy (P)	Michelle Mitchell (P)	Michelle Paonessa (P)
Andrew Pennington (P)	Kara Donatucci Pham (P)	Laura Princiotta (NP)
Susan Tomasic (P)	William Del Toro Vargas (P)	Rob Wallington (P)

Office of Vocational Rehabilitation (OVR) Present: Ryan Hyde, Lee Ann Stewart, Cheryl Novak, James Whitonis, Marci Katona, Danielle Schmidgall, Douglas Rand, Kim Robinson, Krista Sloan, Susan Storm, Deb Schwartz, Beth Ann Fanning, Ralph Roach, Dawn Sokol, Russ Goddard, Julie Jindra, Audrey O’Conner, Bridget Frascella, Melissa Wert-Thrush, Tracie Maille, Mallory Ronan, Tammy Burke, Jeff Seabury, Hillary Hubbell, Jennifer Radick, Colleen Woodring, Jeffrey Seabury Sr., Mark Maurer

Stakeholders Present: Melissa Hawkins, Office of the Deaf & Hard of Hearing (ODHH), Joseph Drenth, Member of the State Board of Vocational Rehabilitation, Josh Towzey, PA Workforce Development Board, Dale Verchick, Disability Rights, Kabir Hossain, PA Department of Labor and Industry, Matthew Seeley, Pennsylvania Statewide Independent Living Council (SILC)

Guest Speaker: Nancy Walker, Acting Secretary of PA Department of Labor and Industry, Susan Dickinson, Director of the Office of Unemployment Compensation (UC) Benefits Policy, David Mann, Senior Researcher for Mathematica, and Member of the State Board of Vocational Rehabilitation

Project Staff Present: Michelle Gerrick, Christopher Todd

Moderator of Zoom Present: Nichole Wade

CART: Abby Estes

Interpreters: Ashley Shenk, Sharon Costa

Guests: Sylenthia Dent, Joan Myers Goodman, Twana Jones, Angel Torres

WELCOME & OPENING REMARKS:

- Mr. Paul Fogle, Chair called the meeting to order, and Ms. Michele Leahy read the PaRC Mission Statement.
- Ms. Jeanette Alexander, Member at Large provided the PaRC Fiscal Report for the 2nd Quarter. PaRC expenses in October were \$288.60, November expenses were \$1085, and December expenses were \$812.65. Total expenses for second quarter were \$2,186.25. It is important to note that PaRC expenses continue to be lower due to less travel because of the impact of COVID.

MOTION was made by Ms. Susan Tomasic to approve today's agenda. Ms. Jessica Keogh seconded the motion. All were in favor.

MOTION was made by Lynn Heitz to approve past meeting minutes. Ms. Julia Barol seconded the motion. All were in favor.

DEPARTMENT OF LABOR & INDUSTRY – INTRODUCTION

Ms. Nancy Walker, Acting Secretary, PA Department of Labor & Industry

- Ms. Nancy Walker thanked members and attendees for the work they continue to do in support of the disability community in Pennsylvania. Ms. Walker explained that when she was a child, her father was diagnosed with a physical disability and was asked to eventually take a disability retirement. As a condition of this retirement, he was no longer permitted to pursue his career as a chemistry teacher. As a young person, Ms. Walker remembers thinking how outrageous it was that her father was not afforded the opportunity to continue to follow his passion as a teacher because of a few flights of steps. This experience drove her to go on to law school at the University of Pittsburgh and pursue a career in labor and employment law. Ms. Walker has attributed her experiences toward remaining mindful and passionate about accessibility; the important work being done across the state to support people with disabilities and understands that the Governor himself is equally passionate about ensuring accessibility for all. Ms. Walker stated that both she and the Governor are fully committed to support the good work of the Council and attendees going forward.
- Mr. Rob Wallington stated that there have been issues with getting determinations, approvals, and funding in an adequate and expedient manner, along with glitches of a third-party vending application for Unemployment Compensation (UC) and inquired about what updates and corrections are being done to address these issues.
- Ms. Walker explained that these are challenges that have been identified that she is facing in this new position and hopes to remedy in part with the hiring of new

staff to significantly reduce wait times of both telephone answering and adjudications. She also reported that Ms. Susan Dickinson will be presenting during today's meeting on further measures being taken over the next several months to alleviate these issues.

- Ms. Michele Leahy stated that there have been difficulties with accessibility at CareerLink and vendor locations over the years and inquired what is being done to ensure that moving forward everything meets ADA compliance and is fully accessible for those with physical disabilities, hidden disabilities, deaf, hard of hearing, deafblind, blind, and visually impaired.
- Mr. Ryan Hyde reported that OVR has performed ADA Accessibility reviews using the ADA tool kit at every main CareerLink office and have started reviews at liaison sites. Each CareerLink site has been provided a recommendation list. PA Workforce Development leadership team has collaborated with the ADA reviews and has allocated resources to purchase necessary equipment and staff trainings. Both physical and programmatic changes continue to be made at the sites and communications will continue regularly to ensure that people with disabilities participate in all services.
- Ms. Michelle Paonessa inquired how Ms. Walker plans to support the Office for the Deaf and Hard of Hearing (ODHH) and the deaf, hard of hearing, deafblind communities in Pennsylvania.
- Ms. Walker stated that she is just three weeks into her position and will need to take a careful look to see how to support those communities, is committed to find ways to do so, and will report back.
- Ms. Jessica Keogh thanked Ms. Walker for her attendance today and commitment to this work and is hopeful that change will be made in PA.
- Ms. Walker thanked attendees and stated that the Council has her commitment to do everything they can to support the good work that Mr. Hyde has been doing.

OVR DIRECTOR'S REPORT

Mr. Ryan Hyde, OVR Executive Director

- Mr. Ryan Hyde reported on three OVR priorities, staffing, customer engagement and finances. Staffing: Staffing remains a challenge with 120 positions vacant which is approximately 10% to 12% of the agency. Congratulated Ms. Marci Katona new director of the Bureau of Vocational Rehabilitation Services (BVRS), Ms. Dawn Sokol new director of the Bureau of Blindness and Visual Services (BBVS), and Mr. Jim France who has been promoted to Special Assistant focusing primarily on Rehabilitation Services Administration (RSA) Performance Indicators. Since November 2022 there have been 31 new hires for Vocational Rehabilitation Counselors (VRCs) and 53 total staff. Recruitment and retention initiatives continue along including collaboration with the Office of Administration Recruiter that is working with colleges to hire new VRCs and Social Workers.
- Customer Engagement: Referrals continue to be increased across the board. Philadelphia Area District Office has lost more staff than other areas and referral numbers are still lower than pre-pandemic levels due to staffing shortages. All District Offices have been asked to complete outreach plans that started in

January and will continue through the summer to reconnect with community rehab providers, referral sources, schools, Centers for Independent Living (CILs), PA CareerLinks, and to make new connections within the community. BBVS was asked to hold two in-person outreach events in their communities per staff each month. A Rapid Engagement protocol was initiated in July 2022 and there were significant Case Management System updates in October 2022. Rapid Engagement is intended to move customers through the application, referral, eligibility, and planning processes as quickly as possible. Statistically the process has been successful with improvements in the timeliness perspective. Planning for Summer initiatives have begun including Summer Academies, programs for the deaf and hard of hearing, programs for BBVS, 24 to 40 OA Summer Internships, partnership with 11 CILs Summer Internship programs, PA CareerLink Internship programs, and Hiram G Andrews Center (HGAC) summer work programs. There are also several policy workgroups in process.

- Finances: There are a lot of grants in process. The 2021 Federal Grant has ended and the 2022 has carried over approximately \$105 million in total Federal funds. In October \$80 million of that amount was leftover and anticipates being able to expense that amount by the end of the period of performance, September 30, 2023. Optimistic that State Board motions to increase the reimbursement rate for college students and increase in the FNT amount to \$100,000 will be requested to be renewed this spring or early summer. Received the 2023 Federal Fiscal Year Grant of \$144.6 million. The \$8.9 million in college tuition for the spring semester has been authorized.
- My Works Summer Program supports individuals, students with disabilities with paid work-based learning experiences. Anticipates several more My Works programs across the state this year including potential locations in Longwood Gardens, Hershey Park, Harrisburg Area Community College, and many others. Specific My Works programs are being developed for students who are blind or visually impaired and working across Bureaus in general to accommodate any disability type with the goals to continue to expand and make additional programs accessible for anybody. Last year the programs served approximately 350 people and anticipates that number to increase to more than 400 this summer.
- Comprehensive Statewide Needs Assessment (CSNA): Temple University has been contracted again for this project with the PaRC being a critical partner to manage CSNA feedback, make decisions, and will help shape the next version of the State Plan.
- Recently toured School District of Lancaster program, York District Office, Lancaster Marriott, and Lancaster General Hospital which employ students in the community through paid work-based learning experiences throughout the school year.
- Ms. Sokol has been meeting with BVRs and BBVS in Pittsburgh to increase referrals. Met with BVRs at the Scranton CIL, transition coordinating staff, and several local school districts to expand services in that area. Met students working at a paid work-based learning experience with Olympia Chimney who may be hired on a permanent basis.
- Mr. Hyde is currently on the joint commission of services for those with Autism,

coordinated by several entities and advocates from the Office of Developmental Programs (ODP) with the goal to provide recommendations for improved services of those with Autism or similar disabilities across the Commonwealth.

- Clean Logic is partnering with BVRS and BBVS to hire as many people with disabilities as possible with a focus of hiring those who are blind or visually impaired.
- Released a new service work experiences for adults which is up to 25 providers, signed up to provide work experiences for adults in the community.
- In 2020 there were about 650 people enrolled in the On-the-Job Training (OJT) programs which reduced during the pandemic to 443 in 2022.
- There are currently 26 Early Reach Coordinators (ERCs), conducted 2890 Early Reach services, and have reached 7884 students since July 2022. Statements of work are being prepared and an updated agreement with the ODP is in the final stages for the Sub Minimum Wage to Competitive Integrative Employment grant. The Hiram G Andrews Center (HGAC) held a big event in the Fall of 2022 that over 1000 people attended and should result in an increase in service applications. The Autism Walk will be held in April 2023 at HGAC, participants include Legislators and Community Stakeholders. HGAC continues to hold outreach events and are finalizing virtual tour videos to help drive knowledge of the school.
- Ms. Michele Leahy inquired what education is provided to State Board of VR Members as she was disheartened after attending an event where she was not asked to speak about the PaRC and where knowledge of the PaRC was lacking.
- Mr. Hyde informed attendees that all State Board members are provided orientation that includes information about the PaRC, the board receives reports at each of their meetings from the PaRC and will follow up with the Board member that attended the event. In the past the Board and the Council held joint activities that did not always have the best attendance but there could be cross training and informational sessions planned in the future.
- Ms. Leahy stated that as Chair of the PaRC Social Media Committee she would like to have more collaboration between OVR and PaRC social media posts and be provided employment success stories to share with the public.
- Mr. Hyde reported that OVR's Social Media Coordinator has returned from maternity leave and those activities will be increased. There is a new protocol for success stories which will be made available once the releases for those are gathered.
- Ms. Jessica Keogh inquired what is being done to prepare Seniors in High School with physical disabilities that require care assistance with timely support to attend college and not waiting until July.
- Mr. Hyde reported that Early Reach is just one component of Transition activities, and they can also instruct students or families to apply for OVR services. One of the biggest challenges is informing students as there are many more students with IEPs than OVR staff. Collaboration between Early Reach staff, Transition staff, school districts, Pre-ETS units, Central Office, the Bureau of Special Education (BSE), local staff, and others also help to inform students about OVR services. Asked attendees to inform him if there are school districts that are not connected with OVR so that outreach can be provided. Outreach plans have been requested

for each District Office and key stakeholders such as CILs, CareerLinks, and schools.

- Ms. Keogh explained that her CIL in Chester County, Freedom Valley, is not active and has not responded in five or six years.
- Mr. Hyde reported that Freedom Valley CIL folded, and a different CIL is covering that area.
- Ms. Michelle Mitchell inquired if there have been any concerns from customers since changing the education requirements for VRCs.
- Mr. Hyde reported that managers have been monitoring this question since July 2022 and have received more varied applicants, have not received quality concerns but are still in the testing phase. New employees go through a robust process of training and working with existing counselors and supervisors.
- Ms. Mitchell inquired what benchmarks or criteria are being used to monitor rapid engagement and new hires.
- Mr. Hyde reported that RSA prescribed what is monitored for statuses including timelines for referral to application, application to eligibility, and placement on the order of selection. Then from eligibility to planning. CWDS changes went into effect in October 2022 and report cases are progressing in a timelier fashion under the time frames RSA has prescribed.
- Ms. Mitchell stated that she believes we need to be more cognizant of identifying more diverse fields outside of food service and the four Fs. Would like there to be opportunities for more complex fields such as web design, finance, and other possibilities outside of stacking shelves, pushing carts, making food, etc.
- Mr. Hyde reported that the four Fs can be a valuable work-based learning experience for a young person entering the job market and that they are not intended to be there forever. My Works offers a variety of different roles such as manual labor, landscaping, clerical, camp activity leaders with the intent to expose students to different experiences. Having a diverse opportunity for young adults would be very helpful.
- Mr. Pennington inquired what has OVR done in researching potential jobs for individuals with disabilities in state positions that no longer require a college education.
- Mr. Hyde reported that this change just occurred within the state, but OVR does work with the Office of Administration who has hired a disability recruiter whom they meet with regularly and liaison with for the Summer Internship Program. They have also been training staff to be Apprentice liaisons in collaboration with Labor and Industry. Tuition reimbursement also includes college and other post-secondary education for programs such as truck driving and similar jobs. HGAC graduates are provided a lot of hands-on experience with jobs and certificate programs for welding and similar trades.
- Ms. Michelle Paonessa inquired how many Rehabilitation Counselors being recruited are deaf, hard of hearing, or have families who are deaf, hard of hearing or deafblind.
- Ms. Marci Katona reported that they do not have that number but will research and follow up.

- Ms. Lynn Heitz stated that she believes there is a disconnect in communication with the District Office and those working directly with customers. She has been contacted about the unavailability of Summer Programs, My Works program, and BBVS District Offices don't seem to be promoting these opportunities. Inquired on how this could be fixed.
- Mr. Hyde reported that Summer Academies have not gone through the selection process yet and is surprised that someone would say they are full. BVRS and BBVS regularly have joint meetings with management at District Offices to inform employees about programs and other topics.
- Ms. Julia Barol stated that Clean Logic is looking to hire 75% of their workforce as people with disabilities and inquired at what point does that become a segregated setting.
- Mr. Hyde reported that is their goal and thinks it's a very great aspirational goal. As with any setting in Pennsylvania, OVR would have to evaluate whether it is competitive integrative employment. OVR developed a protocol many years ago to provide this evaluation which would include looking into employee ratios, who are staff and customers with disabilities interfacing with, where are they located in the building, wages, benefits, and are they provided the same opportunities as everyone else. From his visit at Clean Logic there are no concerns at this point, staffing is at half and half, and they pay above the minimum wage.

**OVR UPDATE: QUARTERLY PROGRESS REPORT STATE PLAN
WIOA COMMON PERFORMANCE MEASURES / COMPREHENSIVE STATEWIDE
NEEDS ASSESSMENT (CSNA)**

**Ms. Lee Ann Stewart, Division Chief of Policy, Staff Development & Training
Mr. Jim Whitonis, VR Specialist**

- Mr. Jim Whitonis reported that Temple University has completed and delivered the 2019-2022 CSNA report to OVR which has been shared with the State Board and PaRC to inform regarding issues with the disability community. The findings are used to develop services portion of the 2024-2028 State Plan. Temple has been procured for the next three-year cycle of the CSNA. OVR is in the early stages of planning and writing the VR services of the State Plan, a timeline has been shared with OVR leadership and the PaRC who will be meeting in March. As of February 8, 2023, 36 customers remain on the Order of Selection waitlist. Reported meeting with OVR leadership and the PaRC to review the timeline and recommends looking at the CSNA, executive summary, priority of the under-served and unserved populations to begin goal planning. Target date for a rough draft of the State Plan Descriptions (a) and (l) is April 1st.
- Mr. Fogle stated that Ms. Lee Ann Stewart will be retiring in March, has been a great supporter of the Council and OVR, and thanked Ms. Stewart for her many years of support on behalf of the Council.
- Ms. Stewart stated that she hopes to return as an annuitant to keep the good work of OVR moving forward and that working with the Council has been one of the great pleasures of her work experience after having met so many dedicated advocates.

PUBLIC COMMENT

- There was no public comment.

PRESENTATION: UNEMPLOYMENT COMPENSATION (UC)

Ms. Susan Dickinson, Director of the Office of UC Benefits Policy

- Ms. Susan Dickinson reported that in regard to customer service issues including the wait times to receive a decision on a claim, inability to contact UC via phone and other methods the new administration is preparing a budget request to add several hundred more staff that would provide enough customer service contacts to process all requests. This would include 200 staff to answer calls, emails, and chats online with an additional 100 employees to make decisions on claims. With the total of 300 new hires there would also be additional supervisors and managers added. Currently claims are at historic lows, and they are looking into increasing staff to get through all the working that has been waiting from the pandemic. Customer service will be provided robust training and will help to expedite the process and request for aiding with log ins, questions about the application process, and other customer service needs.
- UC current staffing has exceeded the current Federal funding levels, budget hearings will begin soon, and they are hoping to receive additional funding. Also seeking funding to continue programs and services currently offered through Federal Grants at PA CareerLinks. Have provided services for this program to over 30,000 people.
- Regarding accessibility issues of the new system that went live in June 2021, Information Technology (IT) groups and vendors have provided accessibility reviews, feedback, utilized an online communication tool to track results, and provided test results to ensure that everything they are providing meets their IT Policies for accessibility requirements. OVR also provided a review and feedback. 8 tickets have been entered for updates and changes to their vendor. 6 of those are now undergoing further testing and 2 are still with the vendor. The vendor has a unit of 5 people whose job is to ensure accessibility of their different products. The team also provides regular trainings for developers to ensure products will be accessible from the start rather than having to fix issues after implementation.
- Ms. Leahy inquired what is being done to make the website accessible on the employer end.
- Ms. Dickinson reported that they have not begun working on the employer side but can provide reviews the same way OVR had on the claimant side. Stated this is a great suggestion and will take that back to her team.
- Ms. Heitz stated that the certification process for someone who is visually impaired is still broken and that the ID and Me process is not accessible.
- Ms. Dickinson reported that the issue with ID and Me has been reported to the vendor and will follow up with them to provide further feedback and find out if they are able to fix the issues during their meeting scheduled for next week. UC staff can now provide manual verifications where claimants can upload their ID to

the dashboard to provide options for verification outside of the software both online and at CareerLinks. Additional adjustments need to be made to include this helpful information not just on the UC website but also within the applications.

- Ms. Lorie Brew stated that she is a new Council member and parent of an adult with a disability that has been working for ten years. She finds the UC identification process to be very challenging when providing assistance to her son and suggested a streamlined verification process.
- Ms. Dickinson informed attendees that staff is looking into simplifying the verification processes put in place during the pandemic when there was an overwhelming number of fraudulent claims that had to be identified and removed at each step of the application process / UC system.

OVR UPDATE: BENEFITS COUNSELING

Ms. Jennifer Radick, Vocational Rehabilitation Specialist, Ticket to Work Program and Benefits Counseling/Planning

- Ms. Jennifer Radick reported that benefits counseling enables social security beneficiaries to make informed choices about work and to support working beneficiaries to make a successful transition to financial independence. The goal of benefits counseling and planning is to identify all public benefits including social security, Medicare, Medicaid, SNAP, housing, transportation and to increase sustained competitive integrated employment outcomes. OVR is required to provide benefits counseling and planning at the OVR initial meeting and again prior to IEP development. Work Incentives Planning and Assistance (WIPA) continues to be used when appropriate and the benefits planning provider agreement has been updated. Customer employment status helps to determine the direction of referral for use of the Ticket to Work help line with the goal of being referred to a local WIPA or if the customer will be referred to one of the approved benefits planning providers.
- Provider outreach: the updated benefits planning provider agreement was sent out on July 13, 2022, to the five approved providers. Virginia Commonwealth University (VCU) and Cornell University, the certifying programs, were also provided the agreement to share with their list of certified benefits planning professionals. Other agencies that were provided the agreement include the four WIPA agencies of Pennsylvania, RCPA, PA CILs, OVR social media, Pennsylvania Employment Networks (ENs), Supported Employment providers, and the Maryland VR office.
- There are currently 11 providers which includes 35 certified benefits planning professionals. 11 trained by VCU and 14 by Cornell University. There are two out of state providers and OVR continues to work to increase the number of providers. Each of the 67 counties have at least 5 providers. One provider is able to offer services to the deaf and hard of hearing population in all 67 counties virtually and in-person in Philadelphia. 1 provider is certified to work with the youth.
- The provider agreement allows for both virtual and in-person for 10 total services, 5 in-person and 5 virtual. OVR provides benefits consultation, work incentives benefits analysis, work incentives benefits analysis update, plan to achieve self-

support, and overpayment services. OVR is working to develop a formal Partnership Plus agreement in collaboration with the Ticket program manager and the Pennsylvania ENs.

- Ms. Leahy inquired if overpayment is just \$250 if there is an extension to follow along services and how is that follow up working. Stated that the flat rate for overpayment and different incentives is quite low and inquired if there is planning to increase WIPA services or rates that follow along with longevity of employment.
- Ms. Radick explained that the provider agreement is for providers, not for WIPA. After consulting with other states regarding overpayment services that is the going rate and, in some cases, higher than other states. Overpayment can also be used in conjunction with the work incentives benefits and analysis. Regarding long term follow through OVR only keeps a case open for a certain amount of time which is why they are looking to increase the Partnership Plus services across the state to ensure customer that have SSI and SSDI benefits can access long-term supports.

OVR POLICY UPDATES

Driving and Vehicle Services

- Ms. Danielle Schmidgall reported that updates to the Driving and Vehicle Services policy include offering more assistance to students and first-time drivers, Learner's Permit tutoring, drivers' evaluations and training are separated into nonadaptive and adaptive. Customers that return prior to the ten-year or 100,000 milestone for repeat modification can be initiated. OVR may sponsor an upgrade or change in modifications if it is due to a documented change in functioning or mobility device and costs less than 50% of the original modification. The policy is currently in the Public Comment phase until the end of February 2023 and can be found on the OVR website along with associated documents. The policy will be presented to the Council in May and to the Board for approval in June 2023.
- Ms. Mitchell inquired about why there is a separation in the services and if high-tech is considered adaptive and low tech non adaptive.
- Ms. Schmidgall reported that the separation between adaptive and nonadaptive services is because of the use of the equipment, will probably be serviced by the same providers but the rates will be a little different. Both low tech and high tech are both considered adaptive. Nonadaptive would be no modifications at all.

Supported Employment

- Mr. Doug Rand reported that they are planning to provide updates to the State Board in March followed by a public comment period. The policy will now be called Employment Supports Policy, a change being implemented to reflect language that is clear and consistent with Federal Regulations as many of the services included in the policy do not meet the Federal definition of Supported Employment such as assessments, job development, job mentoring, discovery, extended services, and ongoing services. Policy objectives include to better align guidelines and definitions with WIOA, simplify billing and reporting procedures, establish improved system for measuring customer stability, align policy to meet internal period of

performance or other fiscal requirements. The current policy has 24 codes, and the new structure combines services to be clearly defined containing only 11 service codes. Moving to calendar month reporting, providing a flexibility of services, eliminating phases, and moving toward qualitative level that focuses on the customer's performance satisfaction and employer's satisfaction.

On-the-Job Training

- Ms. Julie Jindra reported that the On-the-Job Training (OJT) policy revisions provide the elimination of outdated CWDS procedures, screenshots, attachments and have added clarification to definitions. Modifications have been made to the apprenticeships and have defined necessary documentation for completion of the OJT.

Audiological Services

- Mr. Russ Goddard reported the workgroup may have another meeting to gather and review more information before beginning a first draft of the Audiological Services policy. There is a lot of new technology, business practices, and the introduction of over-the-counter hearing aids that may impact OVR services.

Early Reach

- Ms. Hillary Hubbell reported that the Early Reach workgroup began meeting in June 2022 and will resume meeting in June or July 2023 with a focus on reviewing current Early Reach Coordinator (ERC) service provisions and revisions to better serve customers. The new framework called the peer development group model has been designed after extensive research and effective Pre-ETS practicing in the nation in collaboration with stakeholders and ERCs. Upcoming meetings will be focused on feedback from students and stakeholders, updating ERC training documents, manual, and ERC factors and standards.

PaRC COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Recommendations / Discussion

OVR Mediator and Impartial Hearing Officer

Discussion and consideration of Ms. Charlotte Andrews, Mr. Paul Stengle, and Ms. Pat Kennedy

- Mr. Ralph Roach provided Federal statutes and background regarding requirements of OVR to utilize independent hearing officers who can adjudicate the appeals process and having mediators available. Recruitment efforts to fill these roles resulted in review of applications received from Ms. Charlotte Andrews, Mr. Paul Stengle, and Ms. Pat Kennedy. Core requirements and knowledge of those filling these rolls are stated as, "Interested individuals must be knowledgeable about the federal laws and regulations governing the provision of vocational rehabilitation services, including the Rehab act of 1973, as amended. And there

are the actual citations. As well as 35CFR part 361. They must have experience presiding over or participating in administrative hearings.” Current staff of Designated State Unit cannot perform functions of hearing officer or mediator. Those filling these roles are independent contractors, must be vetted through recruitment and vendor process. Selection of these individuals focuses more on background and knowledge of public VR, OVR, disability rights advocacy, and experience presiding over or participation in administrative hearings. Chief counsel of PA Department of Labor and Industry performs trainings of hearing officers and mediators once the selection process is completed. There is no national or state organization that certifies licensed mediators in Pennsylvania. The three candidates listed have gone before the Executive Committee and OVR believes they are qualified. The next steps include PaRC action in approving or not approving each candidate. Those approved will have their names submitted to chief counsel and the Executive Director, Mr. Ryan Hyde, and if approved will begin onboarding and training.

- Mr. Fogle inquired how a hearing officer is chosen for a particular case and how OVR could be impartial in choosing the hearing officer for each case.
- Mr. Roach stated that OVR has a list of regional mediators and hearing officers, they research if the individual has any experience working with the person or OVR which would potentially disqualify them. Other factors include availability, proximity, contracted arrangement by county or District Office. There are only around two hearings each year and there have been no mediations in the past year. The hearing officer’s and mediator’s roles are impartial by nature, and this is ensured during the vetting process. It is the responsibility of OVR to follow procedures to be impartial and provide all necessary communication and information to conduct a hearing that reaches a conclusion and should not be swayed in any way. It is the responsibilities of the attorneys at the Office of chief counsel to represent OVR’s best interest. Individuals receiving services are encouraged to contact CAP and may bring their own counsel or witnesses to advocate for their position.
- Members requested each candidate’s information be shared on the screen. Ms. Charlotte Andrews’ resume and letter of interest was shared.
- Ms. Michelle Paonessa inquired if members should be involved in the interview process to inquire why each candidate is interested in the position.
- Mr. Roach stated he interviewed each candidate, provided a letter of interest from each candidate, and each candidate indicated a desire to make an impact in helping persons with disabilities should they have an appeal or be in need of mediation.
- Members inquired about the candidates’ experience and if in the future the PaRC can be involved in the interview process.
- Mr. Roach stated that the candidate provided their background in following scripted procedures and legal experience. It is a reasonable request of the Council to be involved with the interviews which is not currently a part of OVR’s procedure but will respond to that request.
- Mr. Andrew Pennington stated that the candidate’s letter says that they are a current provider of preemployment and supported employment services for OVR

and inquired if they would be leaving that provider realm to become the impartial hearing officer as that would signify a potential conflict of interest.

- Attendees agreed that further discussion for each candidate will be required.
- Mr. Roach and Mr. Hyde stated that they may ask chief counsel to clarify whether a candidate that is currently a contractor or vendor of the Commonwealth or OVR is completely disqualified for any hearing officer or mediator case or if it's only a conflict if they are involved with a particular customer. There was a list of 7 hearing officers and mediators, and they are now down to 2. Cases are very rare and include compensation of \$650 per day.

MOTION was made by Ms. Susan Tomasic to table the discussion regarding impartial hearing officers and mediators until further discussion can be held. Ms. Julia Barol seconded the motion. All were in favor.

**GOVERNANCE COMMITTEE: Recommendations / Discussion:
Ms. Twana Jones and Ms. Joan Myers Goodman for PaRC membership to represent category of Business / Labor / Industry**

- Ms. Tomasic stated that the applications for membership and associated information was included in premeeting materials for member review.

MOTION was made by Mr. William Del Toro Vargas for recommendation of forwarding Ms. Twana Jones' application to the Governor for consideration of appointment to the Council to represent Business/Labor/Industry. Ms. Lynn Heitz seconded the motion. All were in favor.

MOTION was made by Mr. William Del Toro Vargas for recommendation of forwarding Ms. Joan Myers Goodman's application to the Governor for consideration of appointment to the Council to represent Business/Labor/Industry. Ms. Lynn Heitz seconded the motion. All were in favor.

Transition Committee

- Dr. David Mann reported that he is a former member of the PaRC, current member of the State Board of VR, and an employee/Senior Researcher for Mathematica which is starting a new project with OVR. Six weeks ago, the Social Security Administration (SSA) announced that Mathematica was awarded a five-year grant to test new evidence-based services to help youth with disabilities transition into Competitive Integrated Employment (CIE). These new services will include a transition exploration counselor in addition to the services they receive from the Vocational Rehabilitation Counselor (VRC). The program will include referral to intensive training programs, stronger collaboration with OVR and external partners, and greater overall collaboration with additional resources. The main partners of the grant include Mathematica, OVR, and a group from the University of Maryland. It's important to note that OVR is not receiving funding from

Mathematica and Mathematica is not receiving funding from OVR. Additionally, the University of Maryland is not providing funds to OVR.

- The project is targeting services for individuals who would do not have an open case with OVR, potentially qualify for services with OVR, and are between the ages of 16 and 24. The project will be focused in the Philadelphia area and on underserved populations with the goals to enroll 700 youth and randomize them into one of two service categories. Participation is not mandatory, they would be provided informed consent and participating voluntarily. Mathematica will conduct a rigorous evaluation of the demonstration and report the impacts publicly after a review by SSA.
- Dr. Mann informed members that they are creating an advisory board and hopes to have at least one volunteer from the PaRC join. They feel strongly that the demonstration will not be successful without input from people with lived experience and people familiar with the local and state program landscape when it comes to providing employment and other services to people with disabilities and transitioning youth with disabilities.
- PaRC Members Ms. Michele Leahy and Ms. Julia Barol indicated they would be interested in volunteering for the advisory board.

PUBLIC COMMENT

- Ms. Leahy stated that she thinks OVR needs to be more advertised to the general public in places such as the CareerLinks.
- Ms. Keogh stated that she agrees about making OVR more known and that we need to do a better job with providing information and resources for those who need it.

ADJOURN

MOTION was made by Ms. Leahy to adjourn. Mr. Pennington seconded the motion. The meeting was adjourned.