

Maryland State Rehabilitation Council
Workforce & Technology Center
Minutes - May 21, 2008

Members – Present

Thomas Barkley
Andrea Buonincontro
Robert Burns
Joyce Callahan
Charles Crawford
Niles Ellingson
Beth Lash
Carol Lewis
Kali Mallik
Mary Manzoni
Jerry Pantaleo
Anne Rea
Michael Shaw
Teresa Uttermohlen
Jennifer Whitcomb

Members Unable to Attend

Timothy Daly
Ross Edwards
Eric Seleznow
Alfred Sonnenstrahl
Josie Thomas

Support Staff-Present

Polly Huston
Donna Lippa

DORS Liaison Staff – Present

Jean Jackson
Donna Lettow
Kathi Santora
Sue Schaffer

Guests – Present

Michael Dalto, MDOD
Jane Englar, WTC
Richard Fellin, WTC
Brenda Isennock, WTC
Melissa James, WTC
Patricia Reichart, WTC

Introduction, Council Recognition and Approval of Minutes

The Chairperson, Andrea Buonincontro, welcomed guests and members to the Council meeting. The minutes of the 5 February 2008 meeting were approved as written.

Ms. Buonincontro announced that the Council will recognize at today's meeting the Academic Services Unit of the Workforce & Technology Center. Mr. Burns stated that the entire Council would like to recognize the outstanding contributions of the WTC Academic Services staff. They have made a significant difference in the lives and employment prospects of countless DORS consumers with their state of the art knowledge and skills.

Client Appeal Report/CAP Report (Beth Lash, Director, Client Assistance Program)

Client Appeal Report

Beth Lash, Director, Client Assistance Program, stated that in fiscal year 2007 the agency received 16 requests for appeal hearing. Fifteen were settled or withdrawn and one was carried over to the next year. There were no formal hearings held in FY 2007. Most of

the appeals dealt with the order or selection issues in terms of category assignment and case closure decisions.

Client Assistance Program Report

Ms. Lash stated that the CAP Office served 245 individuals for advocacy cases in FY 2007. There was a significant increase in individuals who had multiple case files which means individuals who would get resolution to their issues and return for services because of additional issues. The CAP office was able to resolve 92% of cases fully or partially in the consumer's favor. The bulk of individuals served were between the ages of 41-64; 20% were 21 and under; 49% females and 51% males; 58% were minorities (89% of whom were African American). The largest part of the CAP case load is persons with mental illness.

Ms. Lash stated that the CAP Office would like to move forward and serve more individuals with limited English proficiency.

Jennifer Whitcomb asked if the CAP office serves the Eastern Shore. Beth Lash stated that there is one CAP office located in Baltimore that serves the entire State of Maryland.

Mike Bullis asked if the CAP Office has made any policy recommendations on streamlining the process regarding counselor decisions on high dollar items which the Counselor is not able to make and ultimately becomes a CAP issue. Beth Lash responded that because the agency has so many counselors that are fairly new to the agency, there has been much support of high level review of these types of decisions. The electronic case management system makes a huge difference in the review process.

Ms. Lash stated that the biggest systemic issue for the CAP Office is the lack of funding and DORS waiting list. There are currently only two people working in the CAP Office. Mr. Burns stated that the Division used to supplement the funding of the CAP Office, but the Division can no longer provide this funding. Mr. Burns stated that the CAP Grant has been level funded for many years. The federal allotment for the CAP Grant is \$187,000.

Employed Individuals with Disabilities (EID) Program (Medicaid Buy-In) (Michael Dalto, Work Incentives Project Director, Maryland Department of Disabilities)

Mr. Dalto stated that the Maryland Department of Health and Mental Hygiene administers the Employed Individuals with Disabilities (EID) program that allows eligible Maryland citizens with disabilities to pay a small fee and receive health care coverage. EID provides full fee-for-service Medicaid coverage and wrap-around services for those with other health insurance or Medicare.

Individuals would need to meet the following criteria:

- (1) Currently receiving Social Security Benefits (SSI/SSDI) or lost benefits due to earned income.
- (2) Are 18-64 years of age

- (3) Are employed or self-employed
- (4) Have “countable” income up to 300% of the federal poverty level (In 2008, income for an individual is a little less than \$31,200/year; income for a married couple is a little less than \$42,000/year). Not all income is counted. For example, less than half of earnings are counted.
- (5) Have resources of less than \$10,000. The first \$4,000 in a retirement account does not count towards the limit.

Eligible individuals buy in to the program with a \$75 enrollment fee for six months of coverage. Every six months the coverage can be renewed for \$75. If an individual is unable to pay the \$75 fee, the applicant can request the fee be waived due to hardship. Hardship determinations are made on an individual basis by DHMH.

How will this benefit people? For people who are otherwise uninsured, this is a great deal. You get a comprehensive insurance very cheap which covers most medical expenses, doctors, hospitals, therapies, medical equipment, supplies and medications, etc. If people have private health insurance they can use this as a supplement. If their employer-paid health insurance does not cover all the services they need, they would need a denial letter for the service that is not covered and then submit that to medical assistance. Medicaid will not cover premiums, co-payments and deductible from private insurance, but it does cover deductibles and co-payments on Medicare. Individuals can contact the Maryland Department of Disabilities toll free 1-800-637-4113, or email eid@mdod.state.md.us.

Jennifer Whitcomb asked if the EID Program covers the cost of hearing aids and other assistive devices for the deaf. Mr. Dalto stated that unfortunately Medicaid only covers hearing aids for people under age 21. Ms. Whitcomb stated that this service is in such dire need especially on Maryland’s Eastern Shore. Ms. Whitcomb expressed her concern on this issue and would love to be on a committee, group or coalition to address this issue. Mr. Dalto stated that while our Medicaid policies are certainly imperfect, particularly for services like hearing aids, the EID program can free up more discretionary income so that people can pay for essential items.

Mr. Dalto stated that to date, 600 individuals have applied and 250 have been enrolled in the program. Mr. Dalto also stated that he has met with Bob Burns and Polly Huston to discuss a plan to follow-up and contact former DORS clients who were receiving SSDI and who have had their cases successfully closed. The Council thanked Michael Dalto and Anne Rea for all their hard work.

Summary of MSRC/DORS Public Meetings/Public Comment and Recommendations (State Plan Attachment) for DORS (Niles Ellingson, Chair, Resource and Program Planning Committee, Beth Lash, Chair, Policy & State Plan Development Committee)

Beth Lash stated that many Council members attended the public meetings in March 2008. The purpose of the meetings was the development of the state plan, public comments on a proposed policy changes and responding to concerns of individuals

attending the meetings. Time was spent in explaining the proposed change in the order of selection; comments about stresses on the community rehabilitation programs in regards to CRP credentials and receiving enough referrals to keep the CRPs open; questions and concerns about the funding formula, expanding benefits planning, and priority to students with severe learning disabilities, etc.

Niles Ellingson stated that after reviewing the comments and concerns from the public meetings, the SRC Policy and State Plan Development and Resource and Program Planning Committees developed the following recommendations which will be included in an attachment to the state plan:

- (1) Shorten or eliminate the waiting list for services
- (2) Enlist the assistance of RSA to look at federal funding formula issues that negatively impact DORS
- (3) Modify the Order of Selection to give additional priority to people who need supported employment services, SSI/SSDI beneficiaries, high school students and veterans.
- (4) Continue to remain flexible, particularly in carrying out policies that pertain to vehicle modifications and providing room & Board on college campuses.
- (5) DORS should establish a workgroup to study and improve the service delivery system for people who are deaf or hard-of hearing.
- (6) DORS should establish a workgroup to examine the unique demand of attracting and retaining qualified staff.

Chairperson/Vice Chairperson Reports (Andrea Buonincontro and Kali Mallik)

MSRC Bylaw Proposed Committee Restructure

The Council voted to take the four previous committees (Policy and State Plan Development; Resources and Program Planning; Public Relations and Quality Assurance; Membership) and reconstitute to three committees. The new committees will be: Policy and Planning Committee; Public Relations and Quality Assurance; and Membership and Resources Committee. The Employment and Career Committee and Blindness and Vision Services Committee continue without modification at this time. The Council voted to accept the new committee structure.

Election of Officers

Mr. Burns stated that this year both the Chair and Vice Chair have served one year and are eligible to serve an additional year. Both the Chair and Vice Chair have stated an interest in serving an additional year. The floor was opened for additional nominations. There were no additional nominations made. Motion was made to elect Andrea Buonincontro as Chair and Kali Mallik as Vice Chair for the year 2008-2009. All in favor. Motion was passed.

Additional Funding for DORS

Andrea Buonincontro stated that there has been additional funding from the Governor's Office for DORS FY 2009 Budget. Many people on the Council worked very hard to help obtain this funding for DORS. Mr. Burns stated that DORS received a little over 2 million dollars in revenue added to the budget for 2009. DORS had asked for a little over

4 million with a goal of eliminating the waiting list for services which numbers about 5,000 individuals and results in a wait for services ranging anywhere from 6 to 14 months. All monies will go into case services. DORS commitment to the legislature is that over the next year the agency will reduce the waiting list in half in terms of numbers and duration of the wait. We will go back next year to try to get the additional 2 million. Mr. Burns thanked the Council for its advocacy work in obtaining this additional funding.

CSAVR Conference (National Coalition of State Rehabilitation Councils)

Andrea Buonincontro stated that she attended the CSAVR Conference in April 2008 and met with the National Coalition of State Rehabilitation Councils. The meeting was very productive and they have gotten off to a good start with moving the Councils that need assistance forward but still understanding Councils that might have best practices to share. The meeting was to introduce everyone to the idea of the national coalition. It was stated that they will not be asking for financial contribution from the Councils. Their objective is to give the councils throughout the country the ability to communicate with each other and brain storm on how to make things better throughout the country.

As the national coalition becomes more established, Andrea Buonincontro will pass on additional information.

Director's Report (Robert Burns)

SRC Federal Legislative Initiative

Mr. Burns began by stating that if the Maryland VR Program does not get a long term solution to the federal funding, the program will continue to have challenges from year to year. Mr. Burns stated that he made personal visits to the offices of Senators Mikulski and Cardin and also Congressman Ruppberger and Anthony Edwards, Acting Commissioner, Rehabilitation Services Administration. They all understand our issues surrounding the funding formula which is a good first step. Maryland has been on the losing end of the federal formula for many years. During one of the reauthorizations that were put through by the Senate that didn't make its way into law, language was inserted around conducting a GAO study looking at the formula.

Scott Dennis, Director, DORS Business Support Services, did an analysis of the reallocation process. This is when at the end of the year certain states are not able to capture a portion of their federal money because they have not come up with sufficient amounts of state match. The U.S. Department of Education (USDOE) then reallocates that unmatched money to states that can match it. Maryland is an over-matched state so DORS always tries to get to the head of the line in receiving this reallocated money. Although DORS has been able to get some of this money, in a relative sense, it seems we have not been getting our fair share. This issue was also raised with the staff of Senators Mikulski and Cardin's Offices and also with the Commissioner of RSA, Edward Anthony. There seems to be a consensus on the idea that the current method that RSA uses to distribute reallocated monies is not fair, since the same formula that disadvantages DORS with the original allotment is also applied in determining reallocation. While the formula is in law, process used for the reallocation of leftover money is not governed by law, and therefore the Senate would have some control over the way this money is

dispersed. Senator Mikulski's staff person has set up a meeting with USDOE officials, members of Senators Mikulski and Cardin's Office, and Senator Kennedy's Office for a special briefing from the USDOE about the application of this formula for reallocated money and to discuss the distribution formula.

Transfer of Office of Field Services Independent Living Services to Centers for Independent Living

Mr. Burns stated that effective July 1, 2008, DORS will no longer provide Independent Living (IL) services through the Office of Field Services. Rather, DORS will provide grants to Maryland Centers for Independent Living to provide independent living rehabilitation technology services in addition to the core and other IL services which CILS already provide.

This change has no impact on the Independent Living Older Blind program which provides independent living services to older individuals with vision impairments and blindness. This program will continue to be administered through the Office for Blindness and Vision Services.

Tom Barkley asked if evaluations of needed services will be done by DORS. Mr. Burns stated that the CILS will be handling the entire case. The CILS may make a referral to WTC for an AT assessments. Jennifer Whitcomb asked if the CILs will be paying for hearing aids. Mr. Burns stated that would be an included service with the CILs.

Symposium – Maryland Association for the Deaf

Mr. Burns attended that state symposium this month for the Maryland Association for the Deaf. Mr. Burns stated the following issues from this meeting:

- (1) DORS waiting list
- (2) Reestablishment of statewide coordinator for deaf services
- (3) Increase on use of technology, video phones for DORS counselors for the deaf.

Mr. Burns gave this group his commitment to work on all three of these issues. Mr. Burns stated that a DORS implementation team will be established consisting of DORS staff, partners such as Maryland Association for the Deaf, Self-Help for the Hard of Hearing and other consumer groups, and members of the Council to implement the model plan for services for the deaf, hard of hearing and deaf-blind.

Adjournment

The MSRC meeting adjourned at 7:20 p.m. The next meeting of the Maryland State Rehabilitation Council will be Wednesday, September 17, 2008, 4:30 – 7:00 p.m., Workforce & Technology Center, Baltimore, Maryland.

Respectfully submitted,

Donna M. Lippa, MSRC Staff Support