**Virginia Board for with Disabilities**

**Board Meeting Minutes**

***Sept. 12, 2018***

The Virginia Board for People with Disabilities held its regular quarterly meeting on Wednesday, September 12, 2018, at the Four Points by Sheraton Hotel, 4700 South Laburnum Avenue, Richmond, Virginia.

**BOARD MEMBERS PRESENT:** Ann Bevan, Theresa Casselman, Allison Coles-Johnson, Alexandra Dixon, Ethel Paris Gainer, Donna Gilles, Dennis Findley, Felicia Hamilton, Ray Hopkins, Jocelyn Kilgore, Jarl Jackson, Sarah Kranz-Ciment, John Kelly, Richard Kriner, Donna Lockwood, Colleen Miller, Christopher Nace, Alexis Nichols, Katherine Olson, Deanna Parker, Cindy Rudy, Matthew Shapiro, Jamie Snead, Frederique Vincent

**BOARD MEMBERS ABSENT:** Randy Burak, Phil Caldwell, John Eisenberg, Rachel Loughlin, Eric Mann, Mary McAdams, Dawn Missory, Atima Omara, Eric Raff, Summer Sage, Maya Simmons, Alexus Smith, Travis Webb

**LUNCHEON PRESENTATION:** Graduates of the Board’s Partners in Policymaking and Youth Leadership Academy presented to the Board on the impact their participation in these programs has had in their lives. Dr. Daniel Carey, Secretary of Health and Human Resources, gave remarks to the Board addressing the Governor’s priorities. Dr. Carey opened the floor up to the Board and responded to multiple questions.

**CALL TO ORDER, WELCOME AND INTRODUCTIONS:** The Board Secretary, Ms. Jamie Snead, called the meeting to order at 1:44 pm, in the absence of the Chair and Vice Chair. The Acting Chair welcomed Board members and guests and asked them to introduce themselves. The Executive Director, Heidi Lawyer, noted that there was one attendance issue and that Traci LaGanke resigned from the Board due to challenges in attending meetings. She noted that four new Board members had joined the Board and that two are in attendance; the others could not attend due to job-related responsibilities that involved hurricane planning. The Acting Chair then reviewed the housekeeping notes.

**APPROVAL OF JUNE 13, 2018 MINUTES:** The Acting Chair asked if there were any changes to the June Board Meeting minutes. None were noted. The Acting Chair called for a **MOTION** to **APPROVE.** Ms. Cindy Rudy made a **MOTION** to **APPROVE** the minutes, and Mr. Jarl Jacksonseconded. The **MOTION** carried unanimously, with Ms. Alexandra Dixon abstaining.

**PUBLIC COMMENT:**  The Board received no public comments.

**STANDING COMMITTEE REPORTS**

**EXECUTIVE COMMITTEE MEETING:**

Ms. Snead asked if there were any questions regarding the activities of the report of the Executive Committee. There was none.

**REPORT OF THE ADVOCACY, OUTREACH AND TRAINING COMMITTEE**

Mr. Matthew Shapiro, Committee Chair, made the following report.

**CALL TO ORDER:** The Chair called the meeting to order at 9:16 a.m.

The Chair called for a **MOTION** to approve the September 2018 committee meeting minutes as written. Mr. Jarl Jackson made a **MOTION** to approve the minutes, and Ms. Ethel Paris Gainer **SECONDED** the **MOTION**. The **MOTION** carried, and the December minutes were approved.

**EXECUTIVE COMMITTEE:** The Chair provided an updated on the Executive Committee meeting.

**VICE CHAIR SELECTION:** Ms. Alexis Nichols was elected new Committee Vice Chair.

**YOUTH LEADERSHIP ACADEMY:** Dr. Penni Sweetenburg-Lee, Director of Training Programs, summarized the 2018 Youth Leadership Academy session, reviewing the program, content, and results with the committee members. Ms. Nia Harrison, Director of Planning, Research, and Evaluation, gave a report on the evaluation results of the 2018 Youth Leadership Academy. She discussed the surveys that were returned by the Delegates and the feedback received, which was very positive. The Committee discussed the use of surveys and possible ways to examine how many surveys will be used for the Academy to be held in 2020.

**ALUMNI DEVELOPMENT PROGRAM (ADP).** Dr. Sweetenburg-Lee provided a program update on the ADP program. She reported on recent leadership training sessions, development of an operations manual, increased engagement at the community level by alumni, and the importance of data collection.

**PARTNERS IN POLICYMAKING**. Dr. Sweetenburg-Lee reported on planning for the next Partners in Policymaking session which will begin in September 2019. Planning is already underway, and a Request for Proposals is in development for the location.

**EVENT SUPPORT APPLICATION.** Following extensive discussion, Ms. Paris Gainer made a **MOTION** to approve the $2,000 event support for the Virginia Oral Health Coalition Summit. Ms. Jocelyn Kilgore seconded the **MOTION**. Following discussion, Ms. Sarah Kranz-Ciment offered an amendment to the **MOTION** to modify the level of funding to $1,500. Ms. Paris Gainer accepted the amendment and the **MOTION** was passed with one abstention.

**COMMUNICATIONS UPDATE.** Mr. Benjamin Jarvela, Communications Director, reported on the Board’s communications activities. A new communications assistant, Megan Weems, who had previously worked at the Board, has returned. Mr. Jarvela noted discussed projects underway in communications including a social media campaign for disability history and awareness month, a social media campaign for Medicaid expansion, and development of infographics based on the Disability Assessments.

**ADJOURNMENT:** The Chair then called for any additional business. Hearing none, the Acting Chair adjourned the meeting at 11:16 a.m.

[For the full details, see the AOT Committee meeting minutes for September 12, 2018.](https://www.vaboard.org/boardmeetings.htm)

**REPORT OF THE INVESTMENT & STATE PLAN OVERSIGHT COMMITTEE**

Committee Chair, Theresa Casselman, reported the following:

**REVIEW OF EXECUTIVE COMMITTEE MEETING:** The Chair provided an update on the Executive Committee meeting.

**APPOINTMENT OF A VICE COMMITTEE CHAIR:** The Committee elected Donna Lockwood as Vice Chair.

**GRANT EXPENDITURE UPDATE:** Mr. Jason Withers, Grants, Contracts, Manager, discussed grants and contract expenditures for six projects: 1) The Virginia NICU Early Intervention Collaborative through the Virginia Hospital Research & Education Foundation (VHREF). 2) The Development of Adult Curriculum on Critical Decision-Making Points for Students with Disabilities project through the Virginia Department of Education (VDOE). 3) The Improving Transportation Planning in Cities and Counties to Increase Access to Community-Based Healthcare through the disAbility Law Center of Virginia (dLCV). 4) The Increasing Access to Disability Resources in non-English Languages through The Arc of Northern Virginia. 5) The Improving Health and Wellness through Empowerment project with James Madison University. 6) The Communication & Health Advocacy Training project with Virginia Commonwealth University. These projects and expenditures were referenced in Attachment ISP 3-2.

**APPROVAL OF BUDGET AMENDMENT REQUEST FROM VDOE.** Mr. Withers reviewed a request from VDOE to make two budget amendments, referencing Attachment BD-3. They requested to transfer (i) $9,160 from the travel budget category to the contractual category in order to pay for event planning services; and (ii) $6,801 from the travel budget category to the rental category, as it was determined that costs associated with hotel meeting space are more appropriate in the rental category. The ISP Committee voted to recommend that the full Board approve these budget amendments.

Ms. Jamie Snead called for a vote of Approval on this recommendation made by the ISP Committee. The **MOTION** carried unanimously.

The Chair called for a **VOTE** in the full Board Meeting to **APPROVE** the request from VDOE to make two budget amendments, referencing Attachment BD-3. They requested to transfer (i) $9,160 from the travel budget category to the contractual category in order to pay for event planning services; and (ii) $6,801 from the travel budget category to the rental category, as it was determined that costs associated with hotel meeting space are more appropriate in the rental category. The **VOTE** passed unanimously.

**UPDATE ON COMPETITIVE RFPS.** Ms**.** Snead, Chair of the Grant Review Team, reviewed the three proposals recommended by the Grant Review team for funding, referencing the supplemental packet. She noted that the Grant Review Team chose not to recommend any housing-related proposals for funding.

The Board discussed the Grant Review Team’s (GRT) recommendation to fund these proposals. After discussion, Ms. Snead called for a vote of Approval on this recommendation made by the GRT. The **MOTION** carried unanimously.

The Chair called for a **MOTION** in the Full Board Meeting to **APPROVE** recommendation by the Grants Review Team, to fund these proposals, referencing the supplemental packet. The **MOTION** carried unanimously.

**2017-2021 STATE PLAN PROGRESS REPORT:** Ms. Nia Harrison, Director of Planning, Research, and Evaluation, discussed changes to the Board’s federal fiscal year (FFY) 2018 work plan. The Board originally submitted its FFY 2018 work plan in 2016 and was then required to update its FFY 2018 work plan by January 2018, which the Board accordingly approved at its December 2017 meeting. However, the Administration on Community Living delayed submittal of the updated work plan due to delays in creating a new online system and announced in August 2018 that they will not accept updates to the original FFY 2018 work plan. The Board will, therefore, need to report year-end progress in its Program Performance Report based on the original work plan, which has different activities and performance measures.

**2019 STATE PLAN UPDATE:** Ms. Harrison advised that the Board is required to submit updated work plans for federal fiscal years (FFYs) 2019-21 by January 1, 2019. The Board will vote on these updated work plans at its December meeting.

[For the full details, see the ISP Committee meeting minutes for September 12, 2018.](https://www.vaboard.org/boardmeetings.htm)

**REPORT OF THE POLICY & RESEARCH AND EVALUATION COMMITTEE**

The Committee Chair, Ms. Felicia Hamilton, provided the PRE Committee Update.

**CALL TO ORDER:** The Chair, Ms. Felicia Hamilton, called the meeting to order at 9:18.

**APPROVAL OF MINUTES:** Minutes from the June meeting were approved without amendment.

**EXECUTIVE COMMITTEE REPORT:** The Chair summarized the Executive Committee discussions.

**BOARD POLICY UPDATE:** Mr.John Cimino, Deputy Director, provided an update on the Board staff’s policy work, including recent public comments that have been made and presentation opportunities that staff has had to speak to the Board’s policy positions.

**ASSESSMENT UPDATE/STRUCTURE:** Board staff discussed work on the assessments. There was a lively discussion about funding for people in isolated settings and DARS PRE ETS services.

**LEGISLATIVE PRIORITIES:** There was a discussion of legislative priorities for the upcoming legislative session, which mostly comes from prior assessments.

**ADJOURN:** The Chair adjourned the meeting at 11:24 a.m.

[For the full details, see the PRE Committee meeting minutes for September 12, 2018.](https://www.vaboard.org/boardmeetings.htm)

**AGENCY REPORTS:**

Agenda representatives who were present provided oral reports. Ms. Lawyer reminded the Board members that they were provided written reports by email from most of the agencies. Those are incorporated into the minutes below as submitted by the agencies.

**Department for Aging and Rehabilitative Services,** Richard Kriner, designee

# **Staffing Updates**

Dale (Dee Dee) Batten is the new Director for the Division of Rehabilitative Services. Dale has devoted her entire career to the field of Vocational Rehabilitation.  Most recently, Dale has been our agency's first Deputy Director for Workforce Development.

Martin Kurylowski is the new IDD Specialist for the Division of Rehabilitative Services. In this role, Martin will join the DRS Training Team and assume responsibility for the Project SEARCH and Supported Employment programs and provide technical assistance on Medicaid programs and projects that affect DARS clients.

# **DARS project awarded $2.5 Million to study ABLE Accounts and finical coaching**

 A collaborative effort between VA DARS and NDI brings new resources and opportunities to Virginia ($500,000 annually for the next five years). The funds will be used to study the impact on quality of life of young adults with disabilities who are assisted with opening ABLE accounts in Virginia and receive financial coaching. NDI will be partnering with ABLEnow (the Virginia ABLE program), the Virginia Department of Aging and Rehabilitation Services (DARS) (state VR agency) and researchers at the University of New Hampshire and Syracuse University. The project research design will seed the opening of 200 young adults with disabilities with ABLE accounts, who will also get the support of financial education and coaching. This is the first effort in the country to empirically study impact and benefits of ABLE accounts in terms of improved health, independence and community participation.

# **The VR Program Updates**

As of August 8, 2018

* Currently, DARS has served 24,545 clients for FY18
* 90% with most severe disabilities
* 52% are 14-24 years of age.
* DARS has found employment for 2,629 clients 3,400 is a yearly goal
* Average hours worked 28.8 hours
* 100% competitive employment rate
* Median hourly earnings $10.00 (the goal of $10.50) this is up from $9.25 in June of 2017
* Rehab Rate 44%
* 1,846 on the wait list
* Effective September 1, 2018, we will bring more consumers who are most significantly disabled (app. date 5/31/2018 and before) of the waitlist
* For FFY18 $20,084,474.38 was spent in client services, and 70% of all expenditures were for supported employment and job coach training skills.
* Second highest category in spending was Training/Tuition @ $1,119,667.60 (6% of all expenditures)
* WIOA and MSD
  + Emphasis on youth with disabilities, including those with significant disabilities.
  + VA DARS Top 3 Primary Disabilities (age 14-22)
    - Specific Learning Disability= 27%
    - Autism= 26.5%
    - ID-22%
* Pre-employment transition services (Pre-ETS) are the beginning of a continuum of services the Department for Aging and Rehabilitative Services’ (DARS) offers to students with disabilities (age 14-22).
* We have 4500 students with disabilities linked with DARS (meaning these individuals could receive Pre-ETS—not all necessarily have)
  + 2386 are potentially eligible
  + 2114 are open to VR
  + Since starting Pre-ETS, we’ve provided over 8,000 Pre-ETS services

# **VRC Minimum Qualification Changes and Impacts**

VA DARS is implementing a newly approved recruitment and hiring structure for Vocational Rehabilitation Counselor positions. Over the last several years, hiring DRS field managers have experienced increased challenges in recruiting sufficient pools of fully qualified candidates for Vocational Rehabilitation Counselor vacancies, particularly in areas of the state which are more remote or rural in nature, primarily the Southwest, Blue Ridge, and New River Districts.

The revised structure offers benefits to both manager and counselor, including enhanced recruitment potential. As well, it allows for a new VR Counselor hire to have an option to continue their education/credentials to move up to a VR Counselor – CRC level over time, at their own discretion and timetable, eliminating financial pressures and workload stresses during the critical first year on the job.

| **TITLE** | **EDUCATION / EXPERIENCE** | **CONDITIONS OF EMPLOYMENT** |
| --- | --- | --- |
| VR Counselor Trainee | Bachelor’s in Human service field and experience in working with people with disabilities | Enrollment in required graduate-level coursework to meet minimum qualifications for fully-qualified VRC within 6 months/ completion within 5 years |
| VR Counselor | Master’s Degree in a field that reasonably provides competence in the employment sector, in a disability or human services field, or in both business-related and rehabilitation-related field. | None |
| VR Counselor – CRC | Master’s Degree as outlined above **AND** ***possession*** of the Certified Rehabilitation Counselor (CRC) credential | None |

\*\*\*\* Revised VA DARS State Plan with new structure approved by Rehabilitation Services Administration August 2018\*\*\*\*\*

# **Pre-Employment Transition Services**

* Have about 50 DARS counselors providing Pre-ETS
  + Some serve in a dual role, providing Pre-ETS and VR transition services, others’ sole focus is providing Pre-ETS
  + Many other agency staff also support the provision of Pre-ETS to students
    - E.g., AT specialists run groups to educate students about different types of AT and how to advocate for their needs
    - Workforce specialists support students’ development of soft skills and job seeking skills and help facilitate work-based learning experiences
* Wilson Workforce and Rehabilitation Center
  + Still offers PERT, which is a Pre-ETS, but also started Pre-ETS Career Day this year
    - Provides job shadowing experiences for students
    - And a chance to be away from home for a night and build independence, social and soft skills

# **Customized Employment**

* Joint training initiative for Customized Employment taking place in each of the seven DARS districts
* Been a collaborative effort with DBHDS, DOE, DBVI
  + The training and follow up TA includes representatives from these agencies as well as local school divisions and employment services organizations.
* We see customized employment as a way to better meet the needs of vocational rehabilitation clients with more significant disabilities as well as the needs of community employers
* Discovery uncovers strengths, emerging talents, and students’ social capital
* Through Discovery, we identify if there is an existing job that aligns with the individual’s strengths
  + If the answer is no, we explore the employers’ unmet needs to identify where the individual’s skill set could be marketed as an asset to a business and we develop a customized position
    - Must always be a mutually beneficial relationship between the individual and the employer- that’s imperative for success
  + You can go to [acreducators.org](http://acreducators.org/) and click on Virginia to see statewide who has earned the ACRE CE Basic Certificate under the GHA training provider.

**Legislative Updates**

The budget created a workgroup to look at combining the LTESS and EES programs/funds and to provide recommendations to the Chairmen of House Appropriations and Senate Finance by November 1.  The workgroup has met twice with a third meeting scheduled for September 17 from 2- 4 pm at DARS.  Potential recommendations are now out for public comment with comments due by September 14 at noon.

**Department for the Blind and Vision Impaired**, Ray Hopkins, Commissioner

**Federal Updates**

On August 23, the Senate passed the fiscal year (FY) 2019 funding bill for the Departments of Labor, Health and Human Services, Education and Related Agencies. The House of Representatives has not yet acted on its version of this spending bill. The President is asking Congress to pass all appropriation bills by September 30, but this seems unlikely to occur. Many informed sources feel that we are likely to start the new fiscal year under a continuing resolution (CR).

Mark Schulz, former Director of the Nebraska general Vocational Rehabilitation agency, was nominated in March as the Commissioner of the Rehabilitation Services Administration (RSA), US Department of Education. To date, no action has been taken by the US Senate regarding his confirmation. Mr. Schulz is unable to act in an official capacity prior to confirmation.

We have mentioned previously that many organizations have voiced concerns related to the implementation of the Workforce Innovation and Opportunity Act (WIOA) provisions addressing competitive integrated employment as defined in the law and interpreted by the Rehabilitation Services Administration.  In April, H.R 5658, a Bill to amend the definition of Competitive Integrated Employment, was introduced in Congress but little has happened since. Also, efforts continue to urge the Department to alter its guidance on this topic through administrative means. The House of Representatives has not passed an appropriation bill for Labor-HHS-Education but does have a draft spending bill which addresses this issue. The Committee encourages the Rehabilitation Services Administration to issue updated guidance to state vocational rehabilitation agencies that would (1) require them to give full consideration to all employment opportunities at AbilityOne, and State use providers, and make determinations on a case-by-case basis with an emphasis on the quality of the job placement (i.e. more work hours, benefit eligible and overall compensation), and (2) honor a client’s informed choice to work with AbilityOne and State-use providers. Additionally, the Committee encourages the Rehabilitation Services Administration to restore the uncompensated outcomes category (Homemaker Exemption), which would allow individuals experiencing vision loss to have the opportunity to learn important life skills and be given the opportunity to regain personal confidence and achieve independence prior to making any decisions about reentering the workforce.

**Budget Updates**

DBVI continues to operate with services restricted in accordance with its Order of Selection for Services policy. On July 1, all vocational rehabilitation service cases with an application date on or before December 31, 2017, were placed into an active service status. Presently, there are 135 individuals awaiting services.

To bring its federally funded services into alignment with current budgetary realities, DBVI has undergone a reduction in force. The Department eliminated six classifieds and four wage positions from its field and center-based programs. These staff reductions became effective on August 25, 2018.

**Other Highlights:**

The Department for the Blind and Vision Impaired is in the process of vacating its administrative headquarters located at 397 Azalea Avenue in Henrico. The employees ordinarily housed in the building are being relocated elsewhere on the complex. This move is being initiated to conserve funds in advance of the project to renovate the building.

During the summer, the Virginia Rehabilitation Center for the Blind and Vision Impaired conducted three pre-employment transition service programs for high school students with significant disabilities. On August 9th, Secretary Megan Healy offered remarks at the ceremony marking the graduation of 11 students from the Learning Excellence and Academics Program (LEAP) sponsored by DBVI and VCU Health. The five-week college preparatory program uses a STEM-H curriculum to expose high schoolers who are blind to health professions while assessing their readiness to enter college. On August 10th, Secretary Carey joined family, friends, local employers and DBVI employees in celebrating the students completing the Learning Independence Feeling Empowered (LIFE) program at VRCBVI. The students participated in classes to learn independent living skills, mastered confidence-building activities – such as rock wall climbing and rafting – and experienced part-time work with Richmond area businesses.

The 2nd Dream it. Do it. Robotics and Cyber Academy conducted by the Department for the Blind and Vision Impaired (DBVI) and the Department for Aging and Rehabilitative Services (DARS) was held June 24 through June 29 at the Virginia Rehabilitation Center for the Blind and Vision Impaired (VRCBVI) here in Richmond.  Twenty-two students from across Virginia, served by DBVI and DARS, came together to build a Parallax BOE-Bot and learn basic coding to add accessories to their bot.  The academy instructors were Dr. Chuck Gardner and Heather Howell from the National Integrated Cyber Education Research Center.  Students built their bots from the box in less than a half day and spent the next three and a half days integrating math, physics, electric currents, calculations and problem solving into programming their bots.

**Department for the Deaf and Hard of Hearing, Eric Raff**

**Executive Management**

VDDHH has reorganized the Deputy Director position into a Business Manager position in order to delegate the administrative functions of the Department. Job bulletins for both the Business Manager and the vacant Community Services Specialist were posted, and a recruitment campaign initiated. VDDHH central office has consolidated its three office suites into one suite. After a month and a half, two office suites were remodeled into five (5) individual offices, a conference room and a storage room. A two years and five months project to triage VDDHH records spanning 20 years for retention, destruction and archival was completed!

**VDDHH Advisory Board**

A public meeting was held on Wednesday, May 2nd with three visitors. The 9-member Governor-appointed board met to review program managers’ reports, discuss composition of the work group studying interpreter licensure, and discuss the current and future strategic plan as well as obtaining stakeholder feedback via upcoming town hall meetings.

**Virginia Relay**

The Federal Communication Commission (FCC) approved VDDHH application for renewal of a five (5) year certification for the state telecommunication relay service (TRS) program, aka Virginia Relay. This approval recognizes VDDHH as the Commonwealth’s TRS administrator. On Thursday, April 12th, VDDHH hosted its’ semi-annual meeting of the Virginia Relay Advisory Council. VDDHH recognized three incumbents whose terms have expired and has been recruiting to fill the three vacant seats. VDDHH filed the 2018 Annual Summary of Consumer Complaints with the FCC.

**Telecommunication Assistance Program (TAP)**

A new TAP Specialist contractor joined the Staunton office in May. With VDDHH office remodeling and relocation, the TAP staff reorganized equipment storage for work efficiency and to surplus discontinued equipment. A roundtable of Relay and TAP staff and contractors began to meet monthly to promote efficiency and eliminate duplication of overlapping outreach & training activities.

**Interpreter Services Program (ISP)**

VDDHH established a small workgroup to study the benefits and drawbacks of state licensure of sign language interpreters that will report to the VDDHH advisory board in November. Meetings will be once a month June through October. VDDHH met with the Office of the Executive Secretary of the Supreme Court to finalize the Memorandum of Understanding concerning the provision of interpreters for the state and local courts. The new “Interpreter Services Program Agreement and Manual for State Agencies and Sign Language Interpreters in the Commonwealth of Virginia” is in its’ final draft and will be effective August 1, 2018.

**Virginia Quality Assurance Screening (VQAS)**

The new VQAS testing materials continue to be a success with positive feedback from candidates. Three groups of raters: Expressive Raters, Interactive Raters, and Receptive Raters have completed their training on the new testing materials. The Interactive Raters did give feedback on the new segment of Interactive Interpreting and VDDHH is now revising that segment. A new VQAS database was developed, and VDDHH is in the process of evaluating it. There are significant improvements over the old database. After providing input and correcting a few items, the database will be ready to launch.

**Community Services**

Community Services performed ongoing education and training activities to 37 EMTs (state convention), 28 police officers, 12 9-1-1 dispatchers, 27 counselors (involved with sexual assault/domestic violence). Provided technical assistance to the Richmond Metro Communications in creating an accessible video (captioning and sign language) to inform the deaf and hard of hearing community about the benefits – and limitations of Text to 9-1-1. Also provided technical assistance to Mass Care Task Force about communication access in disaster evacuation / sheltering situations. The outdated VDDHH brochure, which was drafted on MS Word and printed via in-house copier, was replaced with a new, professionally printed version now available on the VDDHH website.

**Department of Behavioral Health and Developmental Services,** Ms. Deanna Parker, Designee

**DBHDS Independent Housing Outcomes as of August 3, 2018, \***

* Baseline # of People in Settlement Agreement Population Living in their own home = 343
* Number of People in Settlement Agreement Population Living in their own home = 475
* TOTAL # of People in Settlement Agreement Population Living in their own home = 818
* Number of Rental Assistance Resources Set-Aside for the Settlement Agreement Population = 513
* Number of individuals in Application, Intake or Housing Search Process = 55

**Definitions and Key Terms:**

**Settlement Agreement Population**- Individuals with developmental disabilities who are included in the target population under the Commonwealth’s Settlement Agreement with the U.S. Department of Justice [United States V. Commonwealth of Virginia, United States District Court for Eastern District of Virginia (Civil Action No. 3:12 CV 059)] are as follows: (1) individuals currently reside at any of the Commonwealth’s training centers, (2) individuals that meet the criteria for Developmental Disability Waiver (includes individuals who currently have BI, FIS or CL waivers), or (3) individuals who currently reside in a nursing home or ICFIDD.

**Own Home**- Non-provider owned or operated housing that is leased or owned by an individual in the target population.

**Rental Assistance Set-aside**- rental assistance that is made available specifically to individuals who are in the target population.

**Application/Voucher Intake/Housing Search Process**- process in which individuals in the target population: have been referred to a PHA and are completing a program application and submitting required documentation; 2) the individual has submitted an application and associated documents that are under review by the PHA to determine program eligibility; 3) the individual has received rental assistance and is actively looking for housing.

**Training Center Census 9/4/2018**

* CVTC= 81
* SEVTC=71
* Total: =152

**IFSP Update**

The**Individual and Family Support Program (IFSP)**is designed to assist individuals on the DD Waiver Wait List and their families in accessing short-term, person/family-centered resources, supports, and services. The services and items funded through the IFSP are intended to support an individual’s ability to maintain an independent life in the community.

The FY2019 IFSP funding timeline was released on 8/13 and is as follows:

* **September 10, 2018**, **will be the first day to save an application draft in the online portal**. You will be able to review, complete, and edit the application in draft mode in the portal
* **Completed applications may be submitted online** **October 10, 2018, beginning at 9:00 a.m**. Though the early application is encouraged, **you will not** **be able to submit your application before the October 10, 2018 date.**
* **November 8, 2018, is the last day to submit applications**

The IFSP program will be making recorded training available online and conducting live trainings across the state to assist individuals and families in completing the application in the portal. Please sign up for email alerts about the IFSP program at [**https://tinyurl.com/IFSPlistserv.**](https://tinyurl.com/IFSPlistserv)

**Waivers Update**

* FY 2019 CL and FIS DD waiver slots were allocated to the CSB’s on August 27, 2018. WSAC meetings are currently being scheduled for slot distribution.
* DBHDS has recently undergone an agency-wide reorganization intended to align DDS and Behavioral Health agency functions to be community-based and cross-disability. The reorganization is not expected to impact operational functions.
* The DBHDS Community Supports Unit is scheduling town hall-style forums for individuals and families to address barriers and gaps in services statewide. The forums will be held across the state and will assist DBHDS in determining its primary areas of focus over the next two years. The forums are proposed for late September through early October.

**Department of Education,** John Eisenberg, Designee

1. Statewide SOL test results were just released to the public last week.
2. Accreditation results will be released in the next two weeks.
3. Regional teachers of the year were announced last week, and teacher of the year will be announced on Friday.
4. USDOE is announcing major changes in special education to allow for greater flexibility soon. No details have been released.
5. Local determinations on each division’s performance on special education outcomes/compliance indicators were released to the public and can be found on the VDOE website.

**Department of Medical Assistance Services,** Ann Bevan, designee

**General Assembly**

* The top focus of the agency continues to be Medicaid Expansion.
* More information available via the [Cover Virginia website](http://www.coverva.org) or by phone at 1-855-242-8282. DMAS will post regular updates as new details become available.
* As part of expansion: DMAS has been tasked to develop supportive employment, and housing benefit targeted to high-risk members with mental illness, substance use disorder, or other complex, chronic conditions who need intensive, ongoing support to obtain and maintain employment and stable housing.
* Pre-filing for the 2019 GA session began July 16, 2018. 2019 Session begins on Wednesday, Jan 9th.

**HCBS Final Rule**

DMAS and DBHDS are continuing our work together to implement the Home and Community Based Services settings regulation in our public DD system. DMAS & DBHDS has developed a comprehensive HCBS Toolkit to support provider transition to full compliance which may require changes to their policies, procedures, and practices. The toolkit has been reviewed by staff at both agencies and stakeholders. The web-based Toolkit is in the final stages of development and will be launched soon.

**DOJ Settlement**

DMAS continues to collaborate with DBHDS in implementing terms of the DOJ Settlement Agreement. The independent reviewer released his 12th report this past June 2018. It covers the progress towards compliance during the review periods from October 1, 2017, to March 31, 2018. Highlights are as follows:

* DOJ compliance is hindered by DBHDS Licensing regulations still waiting for approval from the Governor’s office.
* There have been some improvement in CSB case management due to DBHDS efforts, but more work is still needed.
* Efforts to divert children from nursing facilities and the biggest ICFs continue. More progress on the NF side than ICFs but some promising changes are expected.
* Nursing & DSP rates still an issue for DD folks in rural areas or with intense medical and/or behavioral support needs.
* Crisis services are still problematic. Screenings are not taking place in the home.

**Waiver Operations**

DMAS staff are continuing work on the permanent proposed regulations for waiver redesign. Permanent proposed regulations is in the final stages of review prior to public comment. The provider manual workgroup has redrafted significant portions of the manual.

The FIS and BI waivers were just renewed by CMS this past July 1st. The new waiver slots funded in the most recent biennial budget have also been approved by CMS. There were also changes made to the performance measures in all three waivers so that the same quality measures are being used for all three waivers. The eligibility changes due to Medicaid expansion are still pending.

DMAS has completed its evaluation of the proposals for Fiscal/ Employer Agent for Consumer Directed Services and has announced that the contract will be awarded to “Consumer Direct Care Network Virginia, Inc.” Effective January 1, 2019, PPL will no longer be the FEA agent for CD services in the DD waivers.

**Electronic Visit Verification (EVV)**

The 21st Century Cures Act mandated EVV to begin in January 2019. However, new legislation pushed this deadline back to 2020 and allowed states to obtain an additional extension until 2021 if the 2020 deadline cannot be met. CMS is required to hold at least one hearing by the end of 2019 to solicit comments on the program from stakeholders.

DMAS has begun discussions with EVV vendors and is developing talking points, gathered from other states on best practices in the use of these systems, mandatory vs. voluntary us, agency and/or consumer-directed use. DMAS has also convened several stakeholder workgroups and meetings to solicit feedback from providers. Information will be made available as the project proceeds.

**Waiver Slots**

Community Living Waiver   
+ 189 slots for 2019 (60 of these will be facility slots) + 25 reserve/emergency slots  
+ 195 slots 2020 (60 of these will be facility slots) + 25 reserve/emergency slots

Family and Individuals Support Waiver  
+ 414 slots for 2019  
+ 481 slots for 2020 + 326 slots in 2019 to address priority 1 wait list

Building Independence Waiver   
+ 40 slots for 2019

**CCC+**

CCC Plus is fully implemented and operating statewide as of January 1, 2018. As of July 2, 2018, there are a total of 212,441 individuals enrolled statewide.

CCC Plus includes Medicaid members who:

* Receive Medicare benefits and full Medicaid benefits (dual eligible), including members enrolled in Commonwealth Coordinated Care (CCC).
* Receive Medicaid long-term services and supports (LTSS) in a facility or through one of the home and community-based (HCBS) waivers
* Excluded are the Community Living, the Family, and Individual Support, and Building Independence waivers, known as the Developmental Disabilities (DD) waivers, will enroll for their non-waiver services only.
* At this time, their DD waiver services will continue to be covered through Medicaid fee-for-service.

The EDCD and Technology Assisted Waivers were combined into the new CCC+ waiver. The CCC+ waiver offers all the services previously offered on the EDCD and Tech waivers, but now in one waiver managed by the MCO’s.

For more information, visit the [CCC Plus website](https://www.cccplusva.com) or the DMAS website and click the “CCC Plus” link on the far right.

**disAbility Law Center of Virginia,** Colleen Miller, Executive Director

**Announcements**

dLCV recently unveiled a new look at dLCV.org. You will find the same links and resources, with more information on how to request services or volunteer your time with the agency.

**Upcoming Events**

September 18th

dLCV staff Elizabeth Horn is hosting a free opportunity for private consultations on Social Security benefits on Tuesday, September 18th. Appointments are available [at this website](http://bit.ly/ssdiclinic). We may still have a few open appointments.

October 18th

You are invited to our anniversary party (Open House) on October 18th! dLCV will be open from 4:30 to 6:30 p.m.

October 20th

dLCV staff are hosting a Parent Special Education Workshopat the Central Rappahannock Regional Library in Fredericksburg, VA. Tickets are $20.00 and include lunch a copy of dLCV’s Pathways through Special Education Manual. Individuals can register at [Eventbrite](https://l.facebook.com/l.php?u=https%3A%2F%2Fwww.eventbrite.com%2Fe%2Fpathways-through-special-education-in-virginia-for-parents-fredericksburg-tickets-48505765049%3Faff%3Defbeventtix&h=AT3EZ2R0D2NKukNO2S4894gHtsAMn7gsJrw3Qog6sNNtAKF2tSv_Nbp7gzM-d7PsWRR1yYsXXh16Sw5W5ln_9wRHwM1l4-JVJP2CF2QwNTM7BEDm0O_eZ2oCk6TbWjq4GA).

For more information on upcoming events, visit dLCV.org or [follow us on Facebook](https://www.facebook.com/disAbilityLawVA/).

**What We’re Working On**

As FY2018 comes to a close, dLCV is wrapping up projects, writing up reports, and reflecting on our success in 2018.

dLCV staff worked closely with families transitioning to community homes in advance of the closure of Southwest Virginia Training Center. You can read [our press release](https://l.facebook.com/l.php?u=http%3A%2F%2Fdlcv.org%2Fsouthwestern-virginia-training-center-closes&h=AT3C14iyyc0i-MyxXYSb1_fVfb51WgRoLDCOvuZV3Vq_0OkwDrVkF3uihK89xOwbx_f3zBFIgMT6NDW5ifWS1PIDMDqd_gQIFnAoAPQ7VQRFNnQojE1E4xtqPNb5JRru-mDarUIw4Jxzw0FIxXpJaz9wY2H3jhfhZK2pBweKCk0XO2O4-P_cCAVMaeiscPbLIlGgfAr08c1M2eHqb6k8FCyZHSsIfsfAgtV8eizKuRMhnxe0ASiO_sPFfp6DjnmdjzgqRNOZtT2UW31vE-W7fOpzDFUEIJp8ciSMbFDSeqgM7ZswtlZHh7ovNyyLQ5RIu-sWxOrbjgMh-43jU1_vcVb3bi3wGkGLPW2nICLPWqA_NopiG4aJcFYinKauFwOrmT4WpVULJBhgwIya3cPD8HxcvvQL).

dLCV used its access authority to visit juvenile detainees at the [Shenandoah Valley Juvenile Center](https://l.facebook.com/l.php?u=https%3A%2F%2Fbit.ly%2F2BzX7C8&h=AT33AbNBJ7qxsvMh2aG9NI4sJt2vSslpW9LQdunZsZ6cG0OSyOGYiBKC7fm_HMnGAkSUV2Bo1pxn3XR4RU1mmx-OZHy_v0Cp4hcVHTcQKmO4aEH1xmkjROZ9fOf39ZyBMV3cdXJONurzXG6ZDBf98Jw3RjWnJ2IZexxkq75OvagYoAj3LpERibDy9pFEniZoAwSt7NcqWQKnVT2FmGrk9YYvMTHRAX72fw7mBGcbga1kwHrVb94nHtPYWx3VUwZQPPSSzwv6n9A9No6YvgoN0Oyglly3MOlVn4wmIsuXpZ8c3KWamnwt8-KlS6r_BUm5bCySCeZOmydHIe98Yzh4DUd6EHU6AdiWIDfVhvY58lGGBJtx38GIInG0JtU1rQ5oNT2R-5uJq8woFhchy1d1KGi0quJ0) and investigate allegations of abuse and neglect.

We are finalizing our goals and objectives and establishing work plans for FY2019. Thank you to everyone who provided feedback on our goals. We plan to share our FY2019 goals with the public at our Open House on October 18th.

**OTHER BUSINESS:** There was no other business, but Mr. John Kelly made closing remarks regarding the current Hurricane and challenges with the evacuation plans toward individuals with disabilities and the community. He suggested that someone in the Commonwealth should look at this issue more closely so that when we are subject to direct hit that there is a better evacuation plan in place. Ms. Lawyer advised that she would pass the request on to the Secretary of the Commonwealth.

**ADJOURNMENT:** The Chair adjourned the meeting at 2:57 pm.