

Final
STAFF SUMMARY OF MEETING

VOCATIONAL REHABILITATION SERVICES FOR THE BLIND

Date: 08/27/2015

ATTENDANCE

Time: **01:08 PM to 03:37 PM**

Aguilar E

Lundberg A

Place: HCR 0107

Primavera X

Windholz X

This Meeting was called to order by
Representative Danielson

Balmer X

Danielson X

This Report was prepared by
Bill Zepernick

X = Present, E = Excused, A = Absent, * = Present after roll call

Bills Addressed:	Action Taken:
Introduction	Witness Testimony and/or Committee Discussion Only
Presentation by Division of Vocational Rehabilitation	Witness Testimony and/or Committee Discussion Only
Business Enterprise Program	Witness Testimony and/or Committee Discussion Only
Stakeholder Presentation on Services for the Blind	Witness Testimony and/or Committee Discussion Only
Public Comment	Witness Testimony and/or Committee Discussion Only

01:08 PM -- Introduction

Representative Danielson called the meeting to order and discussed the agenda for the day.

01:09 PM -- Presentation by Division of Vocational Rehabilitation

Steve Anton, Interim Director of the Division of Vocational Rehabilitation (DVR), and LaVerne Dell, State Coordinator for Blind Services, came to the table to begin their presentation. Mr. Anton lauded the work of the committee and discussed the upcoming transfer of the program to the Colorado Department of Labor and Employment (CDLE). Mr. Anton discussed his prior experience in disability determination. He then talked about the specific process of determining eligibility for vocational rehabilitation services. He described the process for counselors and clients as being interactive and noted that there is a presumption of eligibility for vocational rehabilitation. Mr. Anton discussed the prioritization of services. He described how a rehabilitation plan is created and then services are prioritized using a case management system. Through the system, counselors are able to view all cases and manage their workload and follow the needs of the case. Representative Primavera asked about the ability of counselors to understand the needs of the blind and having the required skills. Ms. Dell described the information provided to counselors when they take over caseloads that include blind clients. She described technology training and the need for continuous training given advances in technology that are always occurring. Representative Primavera asked about the waitlist and the order of selection process. Mr. Anton stated that Colorado uses order of selection and could institute a waitlist if required, but that there is not currently a waitlist. Representative Primavera asked about any policies or documentation that are available concerning the creation of the waitlist. Representative Danielson then asked about the waitlist and how long it took to resolve. She also asked about case outcomes and closures from the waitlist. Mr. Anton said that the cases were processed and the cases closed. Representative Primavera then asked about funding and why the state did not take advantage of all available federal funding. Mr. Anton stated that he was not there at the time and could not answer that question.

01:26 PM -- Business Enterprise Program

Dan Whalen, program manager of the Business Enterprise Program (BEP) in the Department of Human Services, joined Mr. Anton at the table. He described the state and federal programs under the Randolph-Sheppard Act. He highlighted the number of blind vendors and business locations in the state. He described funding for the program and how an assessment is collected from vendor revenues. He stated that in 2009, median vendor income was \$29,000, which increased to \$66,000 in 2014. Mr. Whalen described several successful blind vendors in the state. He also discussed collaboration with the National Restaurant Association. Senator Balmer asked about the taxes paid by blind vendors. Mr. Whalen stated that they pay taxes just like any other business. Representative Primavera asked about potential changes to improve the program. Senator Balmer asked if there was any part of the federal law that Colorado is not participating in, especially concerning types of business that can be operated. Mr. Whalen said that Colorado is taking advantage of all parts of the program, but stated that the reduced federal workforce and more telecommuting has reduced demand at some locations. He stated that the program has pursued other options such as roadside vending locations. Representative Primavera asked about exemptions from the requirement to use blind vendors and about incentives for private businesses to hire blind persons. Mr. Whalen responded that they could use additional sites and that incentives could be helpful. Senator Balmer asked about relationships with private corporations and franchising opportunities such as Starbucks or McDonald's. Mr. Whalen stated that there were not any such relationships currently and that a vendor would have to pay the required franchise fees. Senator Balmer discussed different ways to promote franchising.

01:50 PM -- Stakeholder Presentation on Services for the Blind

Karen Karsh, representing the American Council of the Blind of Colorado (which does business as A3 Colorado) came to the table. Ms. Karsh stated that A3 stands for adapt, adjust, and achieve. She said that her goal is for blind people to thrive, not just survive. She discussed how her organization was not aware of this committee, but were happy that they learned of it and had the opportunity to speak. Ms. Karsh described the diversity of experience of the blind and people with disabilities. She described how some people have the time to go learn blindness skills at a center for six months, but that her organization takes a different approach. She stated that all blind people need training and support, but that they need to have as much time as needed, which is not always possible in the DVR system. She discussed the need for choices and options for blind people. She described her experience with DVR in the 1970's and how many people did not know about blindness when she was young. She talked about how separating blind people in the DVR system is not necessarily the best path, and that the best strategy to improve services is to get rehabilitation counselors who are creative and good at their jobs. She discussed how a large percentage of the blind people served by DVR also have other disabilities and how separating out the blind does not help these people. She highlighted the need for training and cross-training of rehabilitation counselors and stated that there needs to be improved communication, collaboration, and transparency. She discussed how guide dogs are used today and how their use has changed over time. She talked about how counselors need to improve and that training is the key. She discussed the Older Individuals who are Blind Program and described conflicts of interest in the program.

Representative Danielson asked about the idea of separation and A3's position on the issue. Ms. Karsh described the specialized needs of the blind, but that counseling services for the blind do not need to be separate from the general vocational rehabilitation counselors. Representative Primavera asked about the evidence that outcomes are better when blind counselors are separate from general counselors. Ms. Karsh talked about the Arizona example and the need to hear the other side of the story and from successful states with integrated agencies. The witness then performed a song for the committee.

02:13 PM -- Public Comment

Mark Lasser, representing himself, came to the table. He described his experience losing his vision about one year ago. He stated that he was on the waitlist for DVR previously and is currently a client of DVR. He described the pain and difficulty of working with DVR. He stated that he was initially told that he would be on the waitlist for 12-18 months. He described how he could not function given his recent blindness and could not comprehend not getting services for so long. He described how he was able to enter a program at the Colorado Center for the Blind, but without DVR paying for his services. He described going back to school and the support he received from the University of Colorado-Denver. He discussed having to fund his own rehabilitation while on the waitlist. He described how he was taken off the waitlist, but then had to wait six months to get a minimal amount of training through DVR. Representative Primavera asked about what services he still needs. Mr. Lasser discussed the use of screen reading applications and stated that DVR told him to lower his employment expectations. Representative Primavera asked about the caseload of the witness' counselor and he stated that his counselor had a dedicated blind caseload.

02:42 PM

Brad Basta, president of the Association of Blind Merchants, came to the table to testify. He stated that he's been in the BEP for 10 years and it has allowed him to live the life he wanted and earn a living. He discussed the situation in other states and the benefit of having a separate program for the blind. He discussed the need to expand his business and the BEP given the declining populations at many existing business locations. He talked about providing good jobs for blind people and improving the program to do so. Representative Primavera asked about the type of support the program needs and Mr. Basta stated that the administration of the program needed to be more engaged. He discussed a relationship with Einstein Bagels and how there needs to be more of these opportunities for businesses in the program.

02:52 PM

Mike Hess, Director of the Blind Institute of Technology, came to the table. He stated that he was in vocational rehabilitation in 2008 and described his work with Ms. Dell as a counselor. He said that he was a success story for the program and described his experience getting a job. He described how he started the Blind Institute of Technology to help the blind community and how they work with private businesses on a fee for service basis. Mr. Hess discussed his organization's mission and provided a handout to the committee (Attachment A). Representative Primavera asked about legislative fixes for the program and hiring by state government. Mr. Hess stated that increasing disabled employment is an important goal and discussed his work with state agencies. Representative Windholz asked what DVR could have done better in his case. Mr. Hess discussed how the Blind Institute of Technology was a vendor for DVR that helped place clients. He stated that DVR should mirror the private sector and discussed how the placement fee structure is broken. He stated that the current incentives do not encourage vendors to efficiently make placements.

03:04 PM

Julie Hunter, representing herself, came to the table. She asked some questions about the BEP. Mr. Scott Kess, a trainer with the BEP, came to the table. He stated that he was responsible for training BEP vendors. Mr. Kess stated that there were three individuals in the last training group several months ago and that two were successfully placed.

03:08 PM

Dan Burke, public relations specialist at Colorado Center for the Blind, came to the table. He described his background and discussed the prioritization of clients under DVR. He stated that clients with the most significant disabilities are to be served first under federal law. He noted that about half of states have a waitlist at any given time. He stated that Colorado used the waitlist across all disability categories, rather than a more nuanced approach. He said that the goal of rehabilitation counselors should be to provide the best services, not just to save taxpayers money. He described how many counselors seem ready to say "no" to clients, and that it is important for them to provide hope to clients. Representative Primavera asked where the blind fall on the disability prioritization scale, and Ms. Dell responded from the audience that they are usually in the most significant disability group.

03:17 PM

Mr. Scott LaBarre, representing the National Federation of the Blind of Colorado (NFB Colorado), came to the table. He expressed the need to improve placement services and discussed how the BEP program could be expanded. He stated that the DVR should explain why there was a waitlist when \$8 million was returned to the federal government. He then discussed separate blind agencies and how they are effective at serving people with multiple disabilities. He stated that 24 states have separate agencies for the blind, and 15 have a separate office or administrative structure for the blind, resulting in 39 out of 50 states having some kind of separate organization for the blind. He discussed how the state government is required to purchase accessible technology, which is not always the case. Representative Primavera asked about what type of separate organization he is discussing. Mr. LaBarre, described how the state could create a separate designated agencies that directly pulls down federal funding. He then described having a separate unit within a larger designated agency. He stated that his preference is for a separate designated state agency. Representative Primavera asked to clarify what law he was discussing earlier concerning information technology purchases. Mr. LaBarre elaborated on the types of software that a blind person needs and that state technology should work with these standards. Discussion then ensued about the reason why this technology requirement is not always followed.

03:37 PM

Representative Danielson adjourned the meeting.

Visually impaired engineers help design new health apps, improve accessibility

The group works together to identify trouble spots blind users might encounter and suggest ways that the design could be improved.

Apps and smartphones are becoming important tools to track and manage personal health, but millions of disabled Americans still face significant obstacles accessing that technology. iTriage wants to eliminate that barrier, so the Aetna-owned company has partnered with the Blind Institute of Technology (BIT) to have visually impaired engineers work with developers to make forthcoming versions of iTriage and an Aetna app for members that are designed with disabled access in mind.

It's a lofty goal for several reasons, said Michael Hess, the blind engineer who founded BIT. Approximately 6.7 million Americans age 16 and older are visually impaired, he said, so building apps they can access is crucial. So is finding them a job: The unemployment rate among the visually impaired is around 70 percent, Hess said, largely because jobs with the necessary accommodations in place are difficult to find – even though many of these blind workers are highly trained and highly skilled. He created BIT to improve employment prospects for visually impaired workers like himself, he said.

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Mobile: the new frontier

Mobile tech represents a new frontier in access for the disabled. Twenty-five years ago, the Americans with Disabilities (ADA) made access the law of the land – in workplaces, public accommodations, and even to technologies like telephones. Subsequent changes modernized the idea of access, extending it to some aspects of website designs. But mobile tech has moved faster than standard-setting organizations, and as a result, while at this time there are no mandated legal requirements that specifically address mobile apps, there is some guidance offered by the Web Content Accessibility Guidelines group. That means the need remains significant for accessible mobile tech, said Patrick Leonard, chief technology officer for iTriage and Aetna Innovation & Digital Products.

"Serving customers means meeting people where they are," Leonard said. "Lots of people have different needs, whether it's improved access for the visually impaired or something else. We think doing this type of work allows us to better engage with consumers so that they can manage their health – and we can be a partner that they want to work with and stay with."

The unemployment rate among the visually impaired is around 70 percent even though many of these blind workers are highly trained and highly skilled.

The collaboration began a year ago, after a mutual friend introduced Hess and Leonard. They quickly realized how important and impactful working together could be. Since then, a team of about 10 engineers and developers have worked regularly with a pair of visually impaired engineers from BIT. The group works together to identify trouble spots blind users might encounter, and suggest ways that the design could be altered and improved. Those refinements and design changes will be incorporated into the apps, which will be released later this year.