

# Colorado State Rehabilitation Council

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## November 2014 Meeting Minutes

**Location:** DVR Denver Metro Office – 2211 W. Evans Ave, Columbine Room, Denver CO 80223

**Date/Time:** Wednesday, December 10, 2014 4:30PM – 7:30PM

**Present:** Steve Anton, Julie Deden, Liz King, Larry Krause, Robert Lawhead, Katie Oliver, Geoff Peterson, Sue Richardson

**Present by phone:** Buna Dahal, Brandon Hill, Debbie Petersen, Stephanie Steffens

**Absent:** Julie Farrar, Claudia Folska, Beth Schaffner,

**Guests:** Joelle Brouner, Anna French, Shirley Swope, Josh Winkler (by phone)

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### July Meeting Minutes:

Approved with no changes

### September Meeting Minutes:

Approved with no changes

### Director's update – (given by Steve Anton and Joelle Brouner)

Steven Anton has been named the Interim Director of DVR. He will be in this role for 6 to 9 month, with the option to continue in the position after that. Joelle Brouner has taken over the position of Director of Community Access. Steve has deep Operations experience and Joelle has a deeper and broader understanding of the history, guiding regulations and process of Vocational Rehabilitation. They are working as a team to help guide the Division. Steve will not be making sweeping changes. He is looking for stability in the organization and then building on that foundation.

Joelle Brouner: I'd like to give you a little more information about my new role. I'm not a counselor and I don't want to be. I see myself as an advocate for an effective VR process that has integrity. One in which everyone involved knows where they are in the process and what the next step is. If a client is unhappy with something that has occurred we want them to understand what their options are for getting redress through the formal and informal process. I also listen with an ear toward

resources. What resource needs may extend beyond the purview of Rehab but would impact the client's ability to participate? And then I try to find those resources.

With the internal process nothing has changed and no one is required to work through me to request an informal or formal review. A client may go to CAP at any time. In my new position I can be a fair dealer of information and contact. I can take time to talk. I'm here to facilitate communication with knowledge of the rehab act and the process.

**Questions:**

Bob Lawhead: The question I get from people when speaking about this is if you are co-directors? Are decisions being made by both of you?

Response: By the organizational chart we are not co-directors, Joelle is between Steve and the Deputies in the hierarchy, but we do work together to make decisions and we have a deep mutual respect for each other and have formed a good friendship. Neither one of us has a strong ego, we don't need to be right, we just need to reach the right decision and we know our strengths and weaknesses and we don't hide those things. The process is informal. We talk. We do have a weekly Senior Leadership Team meeting with the rest of the managers where we can pull more people together to answer difficult questions.

Goeff Peterson: If we're contacted by a client, how would we know if you (Joelle) are involved? Would the counselor tell us?

Response: We should meet to discuss this. I've been thinking it might be best to have people sign a release so I can reach out to you directly. I don't want to affect your process but I could share information.

Julie Deden: You (Joelle) have done a tremendous job starting in Colorado as a director, dealing with the audit, jumping in with two feet to really make an amazing difference as far as the audit and keeping the staff morale in mind. I think you seem to have a great handle on the cultural part of this as well. Question: When will steps be taken to hire a permanent Director?

Response: Thank you for your kind words. I'm told the position will be posted this month.

Julie Deden: Nationwide search?

Response: I don't know.

Bob Lawhead: I spoke to someone who attended the JBC hearing and it sounds like there were some tough comments for DVR including improper leadership . Could you discuss that a bit?

Response:

Steve: Yes, the hearing is Friday. You are correct; the Analyst didn't have many good things to say about DVR. Our perception though is that the Analyst largely ignored the work that Joelle and her team has done.

The flavor of our response was along the lines of you're ignoring all the good that's been done over the last year and the referenced good points are how the audit findings have been addressed and implemented and how we're building on the audit findings. The second thrust of our response was that not only has this team done a herculean job addressing these issues but in parallel to that they've also made great strides in the tracking measures used for CStat. Given those first two things, DVR has proven they recognize that they can't continue in the old methods and have showed that they can move on and improve.

Joelle: There are currently 2200 people on the waitlist; this is down from a starting point of 6300. I feel like that's a promise that DVR is keeping and we shouldn't put barriers at the door. We've changed some of the reimbursement rates and the new fee schedule provides more opportunities for individualized employment and that may lead to less group employment for people. Not everyone wants to work in groups and they shouldn't have to if they don't want to.

The Workforce Investment and Opportunities Act is law and it's currently the only thing that RSA is focusing on. Implementation won't be just a 6 month initiative; it will be an ongoing process.

The set-aside in the Act for youth in transition is the first time there's been a specific set aside for a constituency. The positive is that we don't want a generation of kids to sit on the couch for 5 years missing the opportunities that their peers are able to take advantage of and that should be a priority. The drawback is that other constituencies don't get set asides and how will that affect administration of the program as a whole?

The educational requirements for counselors have changed and that will affect the approach to case services. The Technical Assistance and Continuing Education (TACE) system is being centralized into a "Super TACE" and will focus on employers and building relationships with employers, but they provided a tremendous amount of training to counselors. The fundamental character of that organization is changing.

Steve Anton: You've asked how we divide our duties and you've just seen a perfect example of that. When we were dealing with responding to JBC questions dealing with numbers, I jump right in and I really enjoy that. When the conversation shifts to regulation, history, organizational culture, Joelle is much stronger.

Julie Deden: Can we talk about where things are on the budget and how much money has been or will be reverting to the feds?

There is a potential 5.3 million may revert but we expect it to be less. Taking more people off the waitlist will speed our spending.

Geoff Peterson: Was this because the matching funds weren't there?

Response: We've had maintenance of effort but DVR hasn't been fully matched in years. In the SWAP partnership we've gone from 44 school districts to 37. Contracting is going to be

starting up rather soon with those SWAP partners and some people aren't happy about the waitlist. Basically the issue was you can't spend the money wisely if you can't release people from the waitlist and it took us until February of 2014 to get the Department to believe enough in the stewardship steps we were taking to allow that. Under the best circumstances it takes someone 90 days to get into Plan. How long does it take to reengage someone when they come directly off the waitlist? Staff internalized the message that clients had to be put in iron clad Plans, well thought out and perfectly appropriate, and there were policies changing, so staff were reluctant to take chances. We can't spend money on services until a client is in Plan.

Robert Lawhead: I have a question about WIOA and the 15% that you referenced focusing on youth in transition. Aren't we already covered in that area by SWAP?

Response: That's an interesting question that has yet to be determined. We don't have that answer yet. We may be asked to share some infrastructure costs that we haven't historically shared and the other interesting development is the single state plan idea and how that will be different from the state plan process that we've had before. Colorado may be an early adopter. Also the standards and indicators that we used to use are going away. We'll be using standard measures that we'll share with other agencies and entities so that will be interesting. Our partners have been using these common measures for years and they have a clear vocabulary and understanding of what they're talking about while it will be new for us.

Julie Deden: When are these changes taking place?

Response: When the implementing regulations are released. We've heard that draft regs are allegedly going to be out on January 18<sup>th</sup>. That's optimistic, so it may be much later than that. July 2015 is the scheduled implementation. You may want to keep your eye out for any draft regs if you're part of another group that might be asked to contribute.

Bob Lawhead: The suggestion that DVR would be more effective in another department, are there particular talking points about why it should stay or go to Labor and Employment?

Response: DVR has shown that they can make change, DVR is performing to standards, DVR has a new leadership team with a strong balance. You've got all the pieces in place and you've seen results. So how do you get an improved outcome by moving the whole to another organization? Making such a move would likely show the progress.

Bob Lawhead: Do you feel you're getting adequate support from the department?

Josh Winkler: What I haven't heard today is whether there is support from CDHS. It sounds like there are good things going on in VR but I'm not hearing anything about CDHS giving VR leadership the support they need. I don't know that there's a department that could do a better job but I don't think CDHS is doing everything they could. I don't feel that the arguments I've heard that CDHS should be DVR's home are compelling.

Response: I feel we're very supported. Any major change to the structure of DVR must include a public comment and a change to the state plan for RSA approval. In the law there is the idea that VR isn't subsumed at an organizational level that would water down effectiveness and in WIOA it's even stronger.

Julie Deden: That is an important point that the division not getting buried in an agency. Arizona VR is in a Department but there is only one person above them in the hierarchy. In some states, Oklahoma for example, they can go directly to the legislature

Response: The message we're giving our staff is that we want them to focus on the people they serve. Even if it's hard to do that sometimes our focus needs to be on employment for people with disabilities

Geoff Peterson: DVR seems to have a brand new policy manual and the SRC hasn't heard anything about that.

The changes were in response to the audit findings and the timing of that was affected by the audit timelines. I'd like for us to have a longer meeting about the changes and discuss that.

Geoff Peterson: I'm troubled by some of the changes to case closure procedure. In particular, two justifications for case closure – inadequate transportation and lack of progress. The transportation component is supposed to be provided by DVR.

Julie Deden: we're really on the edge of meeting the federal regs (the time limitations etc.) I don't think it's necessarily DVR's fault, it's a result of the state audit and we can't go back and change that, but maybe the SRC could have done something to say that the process can't move this fast.

Response: There are a few areas where I can understand the valid basis of your concern and that's real. About the duration of services, which was a very big one, we did hold a conference call to let people know this was happening. I'm talking as an individual now. I don't mind the progress portion because you can define progress. We had a case open for 30 years. That's not as troubling as the transportation one. I can see where you're coming from there. Duration of services and cost, any least possible cost & in state options, those were all very advocated for in the audit, but there are exceptions available.

Geoff Peterson: The SRC could have provided the perspective that those very very long cases were just half of 1% of people served rather than how things are working in process. We could have brought a different perspective and said yes those are problems but you can't penalize 95% of the people because of the bad behavior of 5%. That's a function we could have served, in a way that you couldn't have.

### **DVR and SRC Budget Updates**

I'm excited that we've added a super qualified budget person, Barb Casey as Deputy of Operations. We had a really big need for someone in that capacity. Barb comes from within the state system so

it makes her ramp up time really short and that's what we need. Barb has been with us since for a couple of weeks now and at the next meeting we'll have a report from her

Invite Barb Casey to the next SRC meeting to give report.

### **Officer Nominations and Vote:**

Deb Petersen nominated. Nomination not accepted due to scheduling constraints.

Bob Lawhead nominated. Nomination not accepted due to scheduling constraints.

Julie Farrar nominated. Not present but indicated earlier that she could not accept due to scheduling constraints.

Julie Deden nominated and voted as the Chair.

### **Retreat planning**

Julie Deden: I feel we should have another meeting and revisit the retreat and wait until we get a feel for if we're going to be reviewing parts of the state plan and policy manual. We could use that time to do that, maybe breaking up into committees to do it that way.

Katie Oliver: I would like to discuss restructuring the meeting. We consistently start late and end late and I would like to talk about that at a future meeting to make sure that we're staying on track.

Julie Deden: Do you have recommendations?

Katie Oliver: Do we want to continue with the providing dinner? Could we eat at 4:30 but have people call in at 5pm and start the meeting then? How can we be more efficient with the time we have?

Sue Richardson: Could we eat 4 - 4:30 and start at the same time?

Katie Oliver: that might be a time issue for people with traffic and work schedules.

Deden: Definitely efficient use of time is an issue but we want to have the discussions we need to have, even if they take a little longer.

Katie Oliver: I feel that it will help to recruit and keep members if we're more cognizant and respectful of their time.

### **January Meeting Planning and Agenda Items:**

Agenda items:

Meeting form/function discussion

New Member orientation planning

Discuss and plan possible reception for new members and staff.

## **Statewide Independent Living Council Update: (Buna Dahal)**

### **Buna is the new chair of the SILC -**

Buna Dahal has been named the new chair of the SILC and there is a new executive committee. Anna French was the past chair. SILC has been well. We just had our meeting in November 19<sup>th</sup> in Denver and next meeting will be in January 21<sup>st</sup> in Pueblo. Buna will forward the January meeting notice to Liz so SRC members are informed about it.

## **Behavioral Health Planning & Advisory Council Update: (Larry Krause)**

The BHPAC has been restructured and has 3 or 4 major committees: prevention, recovery, treatment - and so within those structures we're proposing to department of behavioral health things they should do so that's basically what our charge is, we're an advisory council.

**Adjourn.**