

**Vocational Rehabilitation Services for the Blind
Interim Study Committee**

Members of the Committee

Representative Jessie Danielson, Chair
Senator David Balmer, Vice-Chair

Senator Irene Aguilar
Senator Kevin Lundberg

Representative Dianne Primavera
Representative Joann Windholz

Legislative Council Staff

Bill Zepernick, Principal Fiscal Analyst
Katie Ruedebusch, Research Analyst
Luisa Altmann, Research Analyst

Office of Legislative Legal Services

Christy Chase, Managing Senior Attorney
Jane Ritter, Senior Attorney

November 2015

Vocational Rehabilitation Services for the Blind Interim Study Committee

Committee Charge

The Vocational Rehabilitation Services for the Blind Interim Study Committee (the committee) was created pursuant to Interim Committee Letter 2015-3. The purpose of the committee was to determine the most effective structure and delivery model for vocational rehabilitation services when Colorado's Vocational Rehabilitation Program is transferred to the Colorado Department of Labor and Employment (CDLE) on July 1, 2016, following the passage of Senate Bill 15-239. Specifically, the interim study committee was mandated to make recommendations based on the following:

- the findings and recommendations of the November 2013 legislative audit concerning oversight and accountability of the Vocational Rehabilitation Program;
- an evaluation of delays in the delivery of vocational rehabilitation services for the blind;
- an assessment of the efficacy of the application, receipt, and use of the federal Rehabilitation Act "110" funding for the blind;
- the consideration of any and all issues identified in the National Federation of the Blind Colorado (NFBCO) Resolution 2014-11-2 and Resolution 2014-1; and
- consideration of any other issues related to the effective delivery of vocational rehabilitation services to the blind to assist them in obtaining jobs skills and long-term high-paying jobs.

Committee Activities

The committee met six times during the 2015 legislative interim. The committee heard from a number of stakeholder organizations, experts in the field of vocational rehabilitation services, state agencies, blind and visually impaired clients served in the Vocational Rehabilitation Program, and other members of the public. The following sections address the various topics discussed by the committee.

Current Division of Vocational Rehabilitation operations. Representatives from the Division of Vocational Rehabilitation (DVR) and CDLE presented information on vocational rehabilitation services to the committee at several meetings. DVR, in the Colorado Department of Human Services (DHS), provides a range of vocational rehabilitation services to help persons with disabilities prepare for, find, and maintain employment. Representatives from DVR discussed the organizational structure of DVR; the recent waitlist for services and the process for moving clients off the waitlist; training for vocational rehabilitation counselors; program funding; and the services offered by DVR for persons who are blind across the state. Representatives from CDLE discussed the upcoming transfer of DVR to CDLE and the actions undertaken by CDLE to prepare for the transition.

A representative from the Office of the State Auditor (OSA) spoke to the committee about the OSA's 2013 performance audit of DVR. The OSA representative presented the audit's findings, recommendations, and the follow-up procedures undertaken by OSA to determine that all recommendations have been fully implemented. DVR representatives also discussed the audit recommendations and DVR's response to those recommendations.

Agency structure options. The committee heard from representatives of several organizations including the National Rehabilitation Association, the Colorado Center for the Blind, NFBCO, A3 Colorado, and members of the public about the different models states use to provide vocational rehabilitation services for the blind. These models include:

- a combined vocational rehabilitation agency that provides services to all persons with disabilities who qualify, which is the model currently in place in Colorado and 10 other states;
- a separate administrative unit dedicated to providing vocational rehabilitation services to the blind that sits within a larger vocational rehabilitation agency, which is the model used in 15 states; or
- a completely separate state agency dedicated to providing vocational rehabilitation services to the blind, which is the model in 24 states.

The committee had considered, but withdrew, a bill addressing these concerns that would have created a new division within CDLE to provide specialized vocational rehabilitation services to blind or visually impaired individuals.

Employment services. The committee heard testimony concerning barriers to employment for blind persons and services that are available to promote jobs and employment for the blind. Presenters on this topic included representatives from the Institute on Blindness, the Colorado School for the Deaf and Blind, the Colorado Center for the Blind, the Colorado Business Enterprise Program (BEP), and merchants and entrepreneurs who are blind. Testimony focused on employment outcomes for persons who are blind and how the structure of state vocational rehabilitation programs affects employment outcomes for persons who are blind. Witnesses discussed the services offered through DVR vendors that successfully help persons who are blind find employment. In addition, testimony from staff at the BEP focused on the success of Colorado's program and how the program helps vendors operate businesses at various locations throughout the state. Also, several blind merchants testified about BEP opportunities and the barriers faced by blind merchants and entrepreneurs. Finally, numerous witnesses noted that the greatest barrier to finding employment for persons who are blind is the public perception of persons who are blind and their skills.

Adaptive technology. The committee heard testimony from DVR providers and adaptive technology experts regarding the importance of adaptive technology in helping persons who are blind obtain job skills and employment. Technology experts discussed available technologies and the costs of adaptive technology, and noted their concerns about the lack of a technology resource center for the blind in Colorado. Witnesses discussed the adaptive technology services offered by DVR, the Personal Adjustment Training (PAT) program, and the extensive technology training needs of both counselors and clients.

Youth transition services. Representatives from the Colorado Department of Education (CDE), Colorado School for the Deaf and Blind, and the Colorado Center for the Blind spoke to the committee about the various programs in place to help blind youth transition from the education system to employment. The committee heard testimony on how DVR can improve youth services and collaboration with CDE.

Senior services. A representative from the Colorado Center for the Blind spoke to the committee about the various programs in place to provide assistance to older individuals who are blind or who are losing their eyesight. The committee heard testimony on the impact of grants from the Older Individuals Who Are Blind Program and statistics on the expected growth in the older blind population in Colorado.

Public comment. The committee heard testimony from members of the public at each of its meetings. Members of various organizations such as NFBCO and A3 Colorado, among others, testified before the committee. In addition, numerous clients of the DVR spoke to the committee about their experiences and concerns. Testimony covered a range of topics, including problems clients have encountered with DVR and how to best structure vocational rehabilitation services for the blind in the future.

Committee Recommendations

As a result of committee discussion and deliberation, the Vocational Rehabilitation Services for the Blind Interim Study Committee recommends the following two bills for consideration in the 2016 legislative session. The committee also approved a letter to send to the members of various House and Senate committees that have ongoing oversight of the DVR and the Joint Budget Committee (JBC) outlining several areas of concern about the program.

Bill A – Expand Scope Business Enterprise Program. Bill A removes an existing statutory exemption for property owned, leased, or occupied by higher education institutions or the State Fair Authority, thereby granting priority to persons who are blind and licensed vendors to operate vending facilities on these properties. The bill also expands the scope of the program so that persons who are blind may also operate businesses other than vending facilities on state property. In addition, the bill makes conforming amendments to comply with federal law. The bill requires the program changes to be implemented within existing appropriations to the CDLE.

Bill B – Income Tax Credit Employment of Persons with a Disability. Bill B creates two income tax credits for taxpayers who hire person with developmental disabilities and persons who are blind or visually impaired. The first is a tax credit for employee wages equal to 50 percent of the gross wages of a qualifying employee in the first three months of continuous employment, and 30 percent of the gross wages of a qualifying employee in the next nine months of continuous employment. The employee must be eligible for DVR services and referred by the DVR. The second tax credit is a tax credit for software and hardware costs equal to the share of the cost of the maintenance, repair, or upgrade of software or hardware that assists a qualifying employee in performing his or her job. The software and hardware tax credit is available on a sliding scale for each year of employment. Both credits are nonrefundable and are available for three years, beginning in tax year 2016. The credits are limited to a taxpayer's income tax liability and the amount of a credit in excess of liability may be carried forward for up to five years.

Committee letter – The committee approved sending a letter to the House and Senate business committees, the House and Senate health committees, and the JBC to encourage the committees to examine several issues listed in the letter as part of their annual oversight hearings under the State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act and during any additional hearings held concerning the upcoming transfer of DVR to CDLE pursuant to Senate Bill 15-239.