



Nebraska State Rehabilitation Council

500 S. 84th St., 2nd Floor PO Box 94987 • Lincoln, Nebraska 68509-4987

"A consumer-controlled council committed to ensuring quality rehabilitation services."

SRC Meeting Minutes (Draft)

Nebraska VR Office
3901 N 27th Street, Ste 6
Lincoln, NE 68521

Tuesday, February 7th, 2023

10:00 a.m. to 3:00 p.m.

I. Approval Agenda

Gloria moved to approve the agenda. Matt Kaslon seconded the motion. Sarah asked to move the Senator outreach discussion item to after Lindy's report. Passed.

II. Approval of Prior Meeting Minutes

Gloria moved to approve the minutes. Crystal seconded the motion. Passed.

III. ACTION — Follow-up to action items from last meeting:

A. Update on Council Recorder position and NDE/VR/ATP new office (Tobias)

Tobias reported the contractor, Ashley Hernandez, resigned. VR is hiring an associate at State Office who will take notes at SRC, TBI, ATP meetings.

Office Move: NDE leased space at State Farm, 500 S 84th, 2nd floor for State Office. The VR/ATP field offices will move to 1st floor. The construction contract was approved at the 3/2/23 State Board meeting. The agencies are hoping for a September 1 completion. The furniture is on-site. The agencies will continue to have a hybrid work situation, hoteling, cubicles. More conference rooms/interview rooms will be available at S 84th. NDE is looking to get VC in every conference room. The former State Farm Building is a very nice building. There is parking around the building. The lease for N 27th is up 5/31/23. The VR field office and ATP may be working from other sites from 5/1-8/30. Staff who want to work at the office can work from the S 84th office building. The State Board Room @ 500 S 84th will be multi-purpose. The capacity is 120. Employment awards can be held at 500 S 84th.

B. Senators Outreach (Crystal) Outreach to Senators in the past has been, i.e., SRC providing cookies to Senators and staff at the Capital, walked to every Senator's office in the Capitol, emailed Senators, digital web-ex meeting w/ videos. An issue has been attendance in the past. This year SRC will have an email campaign using personal email, not work email. Lonnie will send the email using his personal email to SRC members. SRC members will be able to forward the email, removing Fwd: from the title

of the email. It would be beneficial to add a bit of an introductory message about who you are and why you are sending the email to Senators. Sarah has a list. Lindy sent the content of the email to Brian Halstead, Deputy Commissioner, for awareness that these emails are going out. Lisa felt, after her experience, it's very important to send a personal message with the email. State employees cannot email Senators using state equipment or state time. SRC will be the senders of the emails especially to the SRC's Senators in their area. There is a State Senator email list. VR works with clients who live out-of-state. Storytelling is how to get Senators involved. Sarah used the SEARCH video in the SRC information to send to Senators, <https://conta.cc/3DONvkC> and <https://conta.cc/41mHx4r>. Sarah will enter the information on Facebook, Twitter. Sending through Constant Contact isn't working because the information does not go through the filters.

What is your comfort level for sending/forwarding the information from your personal email? Lisa shares her personal story all the time. Sarah could send a link to the information. If SRC members receive a response from an inquirer, send to Lonnie. Lonnie will send the response to Sarah and/or Lindy who can then help with the response back to the inquirer. If there are questions on how to locate a VR office, help them find offices on the VR website.

C. Review of Disability Employment and Inclusion event and To Do's (Mary) The in-person event went very well. It was held at Firespring in Lincoln. We had Kathy West-Evans as guest speaker. All the nominees were able to attend in-person,. This was the first time Mary remembered this happening and was especially impressive considering they were from Scottsbluff, North Platte, Norfolk, Grand Island, and Omaha. Unfortunately there were some technical difficulties with the video equipment, so there were some difficulties for those viewing remotely, and we were not able to record the event. However, we have the recorded video footage from each winner and that was posted to social media.

Next time: February is one month we have off for the event. May is when we'll talk about the October awards event. The nomination form will be sent to VR staff. The Employer Subcommittee will meet in July on nominations. August is when we'll talk about the winners. October is the awards ceremony probably at S 84th.

Crystal mentioned on-site videos were very nice at the October event. When winners received their award, they also saw the videos of their businesses. Mary reported the videos will continue in the future. Lonnie mentioned the videos even elevated the importance of the award winners and their businesses. Tobias mentioned it was great to list nominees as well as the winners in the write-ups.

IV. Council Membership:

A. New members: Jodi Bodnar - CAP Director

Started 1/30/23 as CAP Director. Previous employment was a PreETS counselor in Omaha.

- B. Committee Assignments needed – Andrew Barritt and Catrina Gray
Andrew would like to be on the Client Services Committee. Brock Wettstead will be on the Employer Committee.
- C. Second Term ending 2023: Sept - Mike Bursaw (employer), Gayle Hahn (community rehabilitation service provider) and Diane Owen-Downs (Qualified VR Counselor)
- D. Recruitment updates: Prior clients (Angela), employers (Mary), others (SRC)
Melanee recruited Andrew. Angela has received 4 recruits. How would be the best way to follow-up with these recruits? Emails are helpful. Matt feels phone calls would be beneficial. Tobias feels going over the application with the recruit would be helpful. The SRC application needs to be updated which Mary is updating.

V. Discussion:

A. Robert's Rule reminder (attached) Lonnie reported we make every effort to conduct every meeting in a professional manner.

B. Open Meetings Act and Quorum for in-person meetings (Angela) Nebraska Act. Must have a quorum of the group to vote. Majority of the voting members in attendance are a quorum. Two meetings a year (February, October) are held in person and members must attend in-person to be counted, not virtual. If we don't have a quorum, we cannot vote. Governor updated when Covid hit: 50% virtual and 50% in-person meetings. If out-of-town, out-of-area, SRC can pay expenses to attend the SRC meetings.

C. Rule 71 & 72 (Victoria) VR is in the process of updating Rule 71 (Procedures for Formal Review of Vocational Rehabilitation Determinations) and repealing Rule 72 (Cost Sharing and Cost Containment Rules for Vocational Rehabilitation Services). VR is reviewing and updating Standards for Facilities and Service Providers (currently Appendix A in Rule 72) and moving to Rule 71.

Comments received so far: Rule 72, Appendix A, Standards for facilities & service providers:

1) Recommendation: Would it make sense to add neuropsychologist to the list of professionals?

2) For consistency, revise background screening requirements to match service agreements.

3) Out-of-state schools must be approved by nationally accredited agency/association. That is a very vague statement. Looking at specific language to tighten up the language.

Comment from SRC: Qualified interpreter for hearing: NCDHH does not have a list of interpreters any longer. Interpreters have to be Nebraska licensed and have certifications.

Rule 72 General Information:

1) 001.04 Purpose: It states nothing in any of the sections about the services we provide

to businesses or our dual customer approach, which is core to our program. We're adding that.

2) 001. General Information 001.01 Laws and Regulations: Revise Nebraska Vocational Rehabilitation State Plan to VR portion of the Combined State Plan.

3) Recommendation: "Hearing impairment" needs to be removed and replaced with "Deaf and Hard of Hearing."

4) 001.01: Add Rehabilitation Act as amended by WIOA.

Rule 71: When an individual with a disability, who is an applicant for, or recipient of, Vocational Rehabilitation services, is dissatisfied with a written determination made by Vocational Rehabilitation personnel, they may obtain a review of the determination by filing a petition within thirty (30) calendar days from the date they received the written determination. Recommendation could it be changed to 45-60 days?

Comment: When client receives appeal process letter, have 30 days to appeal. The client would have to look at the letter and decide do I agree/disagree with the information, fill out and have the petition notarized, contact CAP or advocate. Lots to happen in a 30-day timeframe. Recommendation: Could the time frame be increased? What happens if we go to 45-60 days? That is a lot of time. Could take 2-3 months for impartial hearing. Lisa mentioned maybe 45 days would be a time period, i.e., what happens if a notary is absent, what happens if the applicant wants to talk to their parents or another representative which all take time. Gloria mentioned 45 days is used in state government. Matt feels 35-45 days. Tobias feels 45 days. Gloria asked if clients submit the information in less than 30 days, will VR hold up the hearing? No, we don't have to wait for the 30 days. Move forward when you get the information. There is an informal process, also. If a client disagrees, the counselor knows of the disagreement, an Office Director is consulted, then if the Office Director can't resolve it, then the applicant could contact CAP. If they go through the informal process, is 45 days too much time for the formal process? When does the clock start on 45 days? When the letter was received by the client. Why does it need to be notarized? Maybe to show you are the appellant, not someone else. Victoria is going to check with Legal. Could we send in a letter to show who is appealing? Date letter comes back is when it's date stamped. Letter should be sent certified.

Recommendation: Update State Office address.

Victoria asked that the changes be put in a motion. Gloria moved to support the suggested changes to Rule 71 and repealing Rule 72 with a few sections that will fall under 71. Can the client email the information? Does it have to be a wet signature? Victoria will check with Legal. Matt seconded.

Discussion: Victoria will meet w/ Lindy with the recommended changes. Will put together recommendations in legislative format and send to Legal. VR will have a public hearing. Rule 71 and 72 will go to the State Board of Education for approval and then to the

Governor's office for approval.

Passed.

D. Case review form (Cathy): Based on feedback from Nebraska VR's monitoring by RSA on case reviews and quality assurance of cases, VR started a process, "Comprehensive Case Reviews". VR Program Directors currently review cases in their area of expertise, but this will be a tool for reviewing the overall compliance and quality of a case. Case reviewers will be a cross section of staff including Office Directors, Program Directors, specialists, associates, etc. State Office had a committee look at all review instruments and combined into one instrument. The quality review measures are satisfactory, unsatisfactory, excellent. What is a quality case in each area? Reviews will be entered into QE2, VR's data management system, in a way VR can look for trends on a case. This will allow VR to measure the quality and compliance of a case. Office Directors will be able to look at the information by team/staff member. Program team has been involved in developing this form. VR administration will start working with IT to develop the tool in QE2. A staff committee and Program Team will test.

Who are the evaluators? The Case Review Guide is being put together now to outline how this will work. Maybe a cross-section of a review team from the field and State Office staff will be used like in the past. Haven't defined yet. Time commitment. Hopefully the data system will speed it up which will also help with identifying trends.

Mike reported West Pharma went through evaluating manually which really took a lot of time. The company now has information programmed and are using dashboards. Compliance is pulled to the dashboard. West Pharma moved to pass/fail. VR now has electronic filing system in QE2 which will help.

How will we pull files? QE2 will randomly select files.

When will it be looked at again? Instruments done by April. Programming will take 6-9 months. After everything is implemented, will use the reviews for 1 year. VR will then get feedback. Information will be used for reviewing team/individual performance, identifying ways to improve, providing new staff training, recognizing staff with high ratings as examples of quality cases.

Dashboard — could VR start sharing to the public? Nebraska VR will be developing a dashboard to show results of case review, and will share that with the SRC when available.

Will you share this information with SRC? Yes. Can use in teams also.

E. Member Feedback on Written Reports:

1. ATP (Tobias Orr) See written report. AT Act was reauthorized and there is new

language saying ATP may be able to give away equipment once it has run its lifespan. ATP is waiting on more guidance from ACL and will need to get permission from the State of Nebraska before ATP can do anything. ATP is needing general contractors. Medicaid rules are used for who they contract with. Gloria may possibly have some out-state contacts for ATP.

2. CAP (Jodi Bodnar) No cases closed. Jodi will be getting to know staff and reminding them of CAP.
3. Deaf & Hard of Hearing (Jeremy Daffern) No report.
4. NSILC (Matt Kaslon) Matt reported he was appointed to recruit a new member for SILC. Erin Phillips might be joining SILC. Always looking for new members. Any contacts for new members, contact Tobias or Matt. Monthly educational series is being offered. NSILC oversees CILs, League of Human Dignity, meet quarterly, does not provide direct services, does provide educational services. Do have expense reimbursement. Meetings are virtual/in-person.
5. Ombudsman (no report)
6. Youth Leadership Council (report only)

C. Member Feedback on VR (Chair) No report.

D. Director Report (Lindy Foley) — Lindy provided a handout (attached)

Office Location Updates: VR/ATP/NDE are in the process of relocating N 27th VR & ATP, 40 staff, to 1st floor of 500 S 84th. Lots of great opportunities. State Office is not actually officing there yet. Will take over some spaces on 1st floor to meet with clients in the interim of moving from N 27^h to S 84th. Would like to host SRC meetings at S 84th.

The Fremont team is moving. VR is working with DAS on the RFP process. VR and DAS will be meeting with bidders in the next several weeks. Hopefully the move will happen this summer.

There has been significant growth in the Omaha area. There are 3 teams now (Omaha Downtown, Omaha West/120th & Q, and the PreETS teams) officing downtown and at 120th & Q. VR is busting at the seams with staff even with a hybrid schedule. VR will expand to a 3rd location for PreETS. What locations are we exploring in Omaha? VR may co-locate with workforce partners, doesn't want to bump up against other 2 office locations, and will look at outreach.

Staff retention and recruitment: Bargaining Agreement Wage Increases: On 2/3/23, the State Board gave approval to move forward with staff wage increases effective 7/3/23: 7% increase; effective 7/1/24: salaries will be adjusted upward 3%; employees who receive satisfactory or better cumulative appraisal rating or who complete original probation period in calendar year 2023 will receive a 2% salary increase on the 2024-25 pay structure. There was a market study done in 2016; however, the new wages did not

happen from that study. VR wage increases are using existing budget.

Stay Interviews: The VR Leadership Council has all positions and all offices represented. VR LC are talking about recruitment and retention. NDE is not getting many exit surveys from staff. Victoria, Lindy and Cathy are now conducting stay interviews, 15 minutes/person, 3 stay interviews/month. Notes are taken from those stay interviews and recorded. If alarming information comes up from those interviews, VR will contact NDE HR. Information from the stay interviews is given to supervisors. Lindy and Victoria also have been conducting informal meetings with new staff twice during the beginning of their employment.

The State performs climate surveys. If NDE HR surveys staff, VR uses that information. A needs assessment is done every 3-4 years by VR. Ask the Director is also an opportunity to contact the Director with questions who will answer for all VR staff to see.

State updates: The VR wait list is cleared every Wed. PG 1 and 2 are open. PG 3 is not open. Must get permission from RSA and public hearing to open PG 3.

NDE helped VR send a press release that the wait list was cleared in January. VR is definitely celebrating this success.

Staffing: October 21, 2021-October 22, 2022 VR filled 50 positions. Victoria Rasmussen, VR Assistant Director, is retiring. Holly Enriquez, who is current a Specialist from Scottsbluff, will replace Victoria. Holly starts in her new positions 2/13/23. Cathy Callaway moved into an Assistant Director role. Added another Program Director /Supported Employment position which will begin at the end of February.

Federal WIOA Accountability Measures: VR information: 2nd year of reporting on the measures. Information is sent to RSA. Measurable Skills Gain and Credential Attainment – how VR helps clients to earn more in a career path, moving up the career ladder. See the attached statistics from Lindy. Seeing a lot of entry positions. Are we serving more people with severe disabilities? How to make this information public? It is public on the RSA website.

CSAVR Spring Conference, 1-2 SRC members were sent in the past. The CSAVR Spring Conference is April 17-19, 2023, in Bethesda, MD. Looking to send a team from Nebraska VR. There is an SRC session on Sunday that possibly SRC members could attend. There will be virtual sessions before and after April 17-19.

Commissioner Blomstedt resigned. A search for his replacement is happening now. Legislative season is now. No specific legislation for VR specifically. Any questions, contact us. State Board is the entity who would vote to give input on bills.

VI. Working Lunch: Committee meetings and reports:

A. Client Services Committee (Matt) — Satisfaction survey first quarter. At the last SRC meeting, there was a recommendation to briefly describe SRC at the end of the

Satisfaction Survey and ask clients if they'd like to receive information on the SRC. There is a box at the end of the survey to check and then an email with information will be sent. 44 surveys were completed: 98% still currently employed, 98% job meets current needs. What did Nebraska VR provide that was most helpful to you? Top 3: encouragement/support, employment services, assistive technology. Gave feedback to CAP what to include on their report. Hotline for Disability services and bring policies to our committee. CAP is interested in working with VR on the questions for the unsuccessful surveys when that time comes.

B. Employer Services Committee (Lonnie) — Spent time getting to know Brock Wettstead who will join the SRC representing a business. Talked about the October event. Talked with Mary on potential WindMills Training which could be used and available in other parts of the state and how it could be helpful to businesses.

C. Transition Services Committee — Gloria reported safety in schools where staff and students are at risk. What programs are there to help with safety in schools? What are some of the programs for students? Discussed LPS high school students as paras, restraining children at school or alternative learning environment transition – learn life skills or employed. How to take care of yourself? Some students with severe behaviors are being put in these programs. Lupe and Sharon are creating a podcast on the VR website — what can VR do for me? 25% of PTI contacts have not heard of VR. Holly, FEAT personnel at PTI, quit. Summer programs are full, some need more attendees, getting kids engaged.

D. Executive Committee (Chair) — No report. Will be meeting virtually before the next SRC meeting.

VII. Public Comment/Announcements

Lisa: Staff interested in going to a virtual meeting of Voices of Hope, this weekend, which is a meeting of anyone who has mental illness or loved ones who have mental illness. The meeting is free for the first 12 hours and then \$49.99 after that. Goes live 2/11.

Gloria: July 22, 2023, 10 am-2 pm, Auld, Disability Pride Celebration, if you would like to join the planning, contact Gloria. Donations are run through SILC. "Leading for Change" is the theme.

Tobias: February 17, 2023, virtual, VR/ATP/TBI, Peer Support Summit, time to find out where Nebraskans want to go with peer support.

May 2, virtual SRC meeting

Gloria moved to adjourn the meeting. Mike seconded. Passed