

**NEVADA STATE REHABILITATION COUNCIL (N.S.R.C.)  
MEETING MINUTES**

February 8, 2022, at 9:00 AM

Department of Employment, Training and Rehabilitation  
500 E Third Street, Carson City, NV 89713

&

Vocational Rehabilitation  
3016 West Charleston Blvd., Las Vegas, NV 89102

**COUNCIL MEMBERS PRESENT:**

Raquel O'Neill  
Rebecca Rogers  
Mary Brabant  
Judy Swain  
Marshal Hernandez  
Alex Goff

**COUNCIL MEMBERS ABSENT:**

None

**GUESTS/PUBLIC:**

Nancy Brune, Ph.D., Senior Fellow, Guinn Center  
Mark Noyes, Market Decision Research  
Carley Murray, NV PEP  
Ashlee Cooper, Opportunity Village  
Steven Cohen, member of the public  
Dora Martinez, member of the public

**DIVISION STAFF:**

Chricy Harris, Deputy Attorney General  
Latonia Coleman, DETR Deputy Director  
Drazen Elez, VR Administrator  
Javier Fernandez, VR Liaison to N.S.R.C.  
Mechelle Merrill, VR Deputy Administrator of Programs  
Sheena Childers, VR Bureau Chief  
Mat Dorangricchia, VR Northern District Manager  
Trina Bourke, VR Southern District Manger  
Jocelyn Medina, Administrative Assistant  
Regina Higley, Administrative Assistant

1. **CALL TO ORDER, INTRODUCTIONS, AND VERIFY TIMELY POSTING OF AGENDA**

Raquel O'Neill, Chair called the meeting to order at 9:02 a.m. Javier Fernandez NSRC Liaison called the roll.

Mr. Fernandez determined a quorum was present and verified that the posting was completed on time in accordance with Open Meeting Law.

2. **FIRST PUBLIC COMMENT**

Raquel O'Neill called for public comment.

Steven Cohen emailed his public comment **attached to these minutes.**

Ms. O'Neill congratulated Mr. Cohen on his Tax Prep services he is providing to the community.

Drazen Elez welcomed new DETR Deputy Director, Latonia Coleman and is excited about the wealth and knowledge she is bringing to the organization to transform the training, culture and improving productivity.

Latonia Coleman thanked Mr. Elez and commented on the successes she has seen in the short time she's been with the Department.

3. **APPROVAL OF THE NOVEMBER 9, 2021 MEETING MINUTES**

Ms. O'Neill asked the council for any modifications, changes or corrections to the November 9, 2021 Meeting Minutes.

Rebecca Rogers made a motion to approve with the meeting minutes as written. Judy Swain seconded. All in favor, none-opposed, none-abstained, motion carried.

4. **DISCUSS AND EXPLORE INDIVIDUAL PLANS OF EMPLOYMENT (IPE'S) TO ALIGN WITH FEDERAL REGULATION**

Mechelle Merrill, Rehabilitation Division Deputy Administrator began the discussion of Individualized Plan of Employment (IPE's) and reviewed the Guidance for Special Education from the March 8, 2021 meeting. Frequently asked questions asked about criteria for integrated employment location in the definition of a competitive integrated employment and participant choice may not meet the criterion of the definition. The participant may choose to work in a setting with sub-minimum wage. To be considered a competitive integrated employment setting a job position must satisfy three criteria related to wages, benefits, integration and opportunities for advancement. It must meet full or part time work in which the employee with disabilities are compensated including benefits at a rate of pay higher than the federal, state, or local government minimum wage applicable and not less than the customary rate paid by employers to employees without disabilities performing the same or similar work and who have the same experience, training and skills. Location must be typically found in the community, where the individual with disabilities interacts and performs the duties within the work unit at the work site. As appropriate for the work to be performed who are not individuals with disabilities. Presents opportunities for advancement as well as non-disability workers in the same position.

Vocational Rehabilitation had come out with a similar guidance guideline called Competitive Integrated Employment Evaluation. Vocational Rehabilitation has the responsibility to make sure that participants are making informed choices and they understand the consequences of those choices. The Vocational Rehabilitation agency has the responsibility to determine if a job is in a competitive integrated setting. They follow a walk-through process in determining if the position is typically found in the community and interacting with others. The purpose of the job is not only meant for individuals with disabilities, but also for those without to be purposely employed. The position must be opened to all applicants, regardless of their disability status. If only those positions satisfying all three criteria related to wages, benefits, integrated employment location and opportunity for advancement would be considered competitive integrated employment.

Ms. Merrill mentioned how proud she is that Vocational Rehabilitation has never counted anything other than competitive integrated employment position as a successful employment. VR does not encourage sheltered or sub-minimum wage. VR works with their clients to understand the choices they are telling us they want. If any individual with disabilities makes an informed choice not to pursue an integrated employment per 34 CFR 361.37B requires that VR counselors determine the individual's ineligible for VR Services and refer the individual to other programs for assistance in obtaining the chosen employment goal.

Section 10 of The Rehabilitation Policies and Procedures speaking about counseling guidance, assessment of Vocational Rehabilitation needs and the individual plan for employment. This policy refers to the time and resources counselors use to work with individuals to meet sustainable employment through work on

an individual's primary employment factors:

- Facilitate the obtainment of meaningful, sustainable employment consistent with an individual's primary employment factors (strengths, resources, priorities, concerns, abilities and capabilities), as well as the individual's interests and informed choice.
- Sufficiently addresses barriers to employment, accommodation needs and other needs that will facilitate sustainable employment; and
- Facilitate the development of both hard and soft skills the individual needs on order to maintain or advance in employment.

The Assessment of Vocational Rehabilitation Needs (AVRN) is a transparent process of exploring vocational options; determining how disability related barriers to employment can be diminished, accommodated or eliminated; and exploring how their vocational needs can be met in order to assist the participant to make informed choices, that have a high probability of leading to sustainable employment.

1) Required considerations include:

- Explore short and long-term employment goals; and
- Identify the participant's interests and primary employment factors (strengths, resources, priorities, concerns, abilities and capabilities) as they relate to employment; and
- Explore labor market trends and in-demand industries; and
- For individuals traditionally in low wage occupations or who have little work experience: career pathways, measurable skill gains, obtainment of credentials and/or opportunities for the individual to participate in job driven training that will result in high quality employment outcomes and enhance career options should be explored; and
- For individuals who receive SSI or SSDI: prior to selecting the vocational goal, the counselor and the individual need to discuss the individual's goals as they relate to training benefits or earning sufficient income to get off benefits, and how the individual's priorities in this area affect the individual's vocational choices. Individuals should be referred to and participate in benefits planning, as available, and be referred to Social Security Administration if additional discussion regarding their benefits is needed.
- Explore other pertinent income and benefit needs or considerations; and
- Explore the pros and cons of various vocational options.

2) Before finalizing a chosen goal

Both the counselor and participant must agree the goal will be a good job match and has a high probability of leading to a sustainable employment before including the goal on the plan.

The counselor should not agree to a goal that is not consistent with the participant's primary employment factors or that does not have a high probability of resulting in sustainable competitive integrated employment for the individual.

3) Agency requirements when determining IPE services

Counseling and Guidance must always be included in the plan. Services that will accommodate, diminish or eliminate barriers to employment but be built into the plan.

Addressing disability related barriers to employment may include, but is not limited to:

- Retraining for a vocational goal or choosing a selective placement that is within the participant's abilities.

- Restoration services that can be achieved, in a reasonable amount of time, aimed at alleviating the disability related barrier to employment, such as a medical treatment.
- Assistive technology that alleviates or compensates for functional limitations due to the disability.
- Identify, supporting, or teaching the participant to self-advocate for accommodation needs, and when appropriate short-term assistance in providing the accommodation.
- Addressing behavioral, psychosocial or interpersonal barriers an individual may have to employment as a result of his or her disability.
- Job development, job coaching or appropriate use of job development resources for individuals with cognitive disabilities who are unable to independently search for employment or learn job duties once employed.
- Supported employment for individuals who meet the criteria required for provision of this services;  
or
- Customized employment for individuals who meet the criterial for the provision of this service.

#### 4) Limitations on Services

Some limitation of services including, but not limited to financial participation policies, comparable benefits policies, requirements found in scope of services, policies regarding the purchase of goods and services.

While participants should make an informed decision regarding vocational services, a “want” is not always a vocational need. The counselor and participant should closely examine an identified service in order to determine if it is a “want” or a “need” and be able to provide an adequate rationale on why the service is needed to reach the vocational goal, and document this in the client’s case file.

#### 5) Individualized Plan of Employment (IPE)

After agreeing on a vocational goal and the services needed to reach the goal, the counselor and participant commit to these goals in writing by completing an IPE. The IPE is not a contract, but rather an agreement made in good faith, which delineates the employment outcome and services to be provided that are needed to achieve the outcome.

- All services provided by VR must be included in the IPE, or the IPE amendment (except services necessary to complete the assessment of eligibility or initial vocational rehabilitation needs; and
- Services included on the IPE must be necessary to achieve the employment outcome.

#### 6) Timeline

The IPE must be developed as soon as is reasonably possible, but not later than 90 days after an eligibility determination. In extenuating circumstances, the counselor and participant may agree to an extension of time. If additional time is needed to explore the vocational goal or service needs, as appropriate and applicable, the counselor and participant may complete an extension.

#### 7) Mandatory Federal Requirements

- a. The employment
- b. The services as described
- c. The timeline for achievement
- d. Service providers and procurement methods
- e. Criteria to evaluate the progress
- f. Terms and conditions
- g. For Supported Employment

- h. Post-Employment needs
- i. For Students
- j. For Individuals receiving services from an Employment Network
- k. Employment Outcome/Vocational Goal

8) IPE Annual Reviews

IPE reviews should occur as often as necessary, and at least annually from the date of the original IPE. The annual review must be completed on the electronic case file annual review form that is signed by the counselor and participant. It should document the participant's progress toward achievement of the employment outcome. It is not only an opportunity to document progress and justify continued services but also to determine if corrections or changes are needed when appropriate progress is not being made.

5. **GUINN CENTER REPORT ON INTERGRATED EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES IN NEVADA**

Nancy Brune, Senior Fellow with the Guinn Center presented the following report.

Motivation for Report for Integrated Employment in 2014 from then Governor Sandoval. Resources are limited in Nevada.

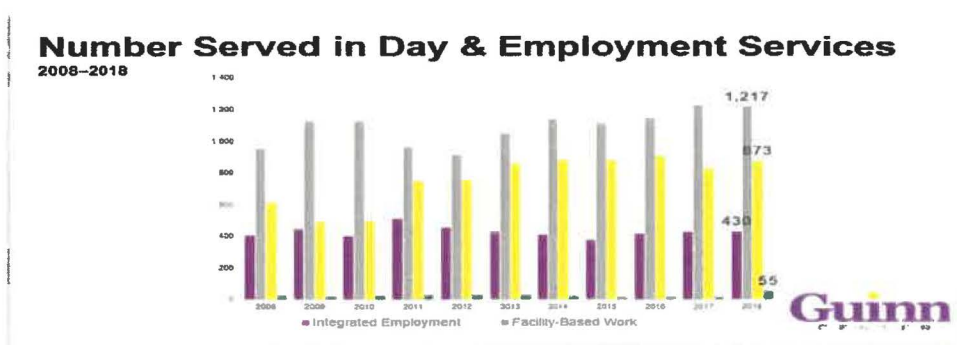
**Integrated Employment: Overview**

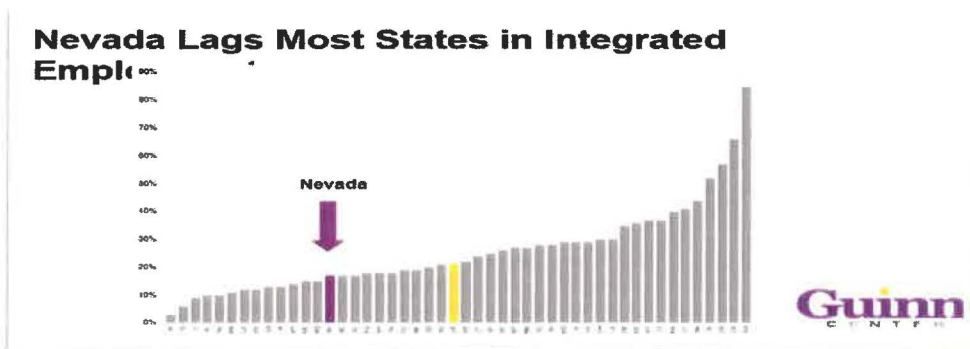
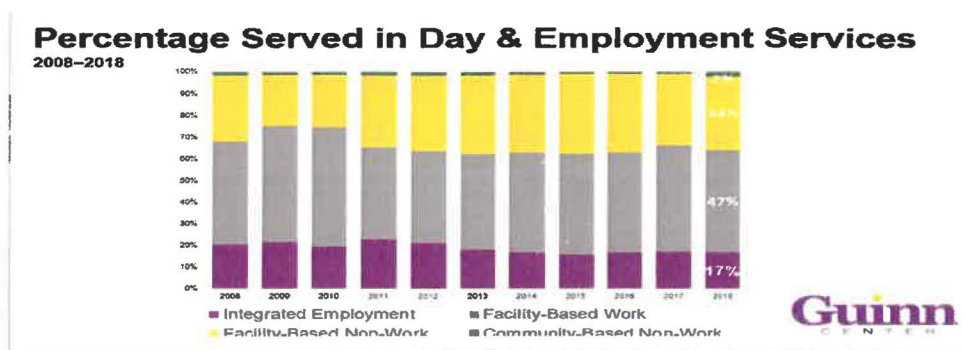
- In 2014, then-Governor Sandoval issued Executive Order 2014-16, which established the Task Force on Integrated Employment. In 2015, the Task Force published Nevada's Strategic Plan on Integrated Employment 2015-2025.
- However, despite reports, initiatives, and new policies enacted in recent years, data reveal that integrated employment opportunities for individuals with intellectual and/or developmental disabilities (ID/DD) remain limited.
- Given that Nevada's stakeholders have identified competitive, integrated employment as a goal and have embraced Employment First as a guiding principle, **why have integrated employment outcomes declined?**

**Day and Employment Services**

For individuals with disabilities who seek to participate in employment and community activities, state agencies can support these individuals with four types or categories of day and employment services:

- 1) integrated employment – employment in community setting, paid competitive employment
- 2) community-based non-work – services nonpayment employment, community volunteer work
- 3) facility-based work – vocational services, sheltered work
- 4) facility-based non-work – do not involve paid employment





**Why? Categories of Explanations**

- 1) Education and Transition Planning
- 2) Employer Engagement, Development and Support
- 3) Supply of Opportunities
- 4) Impact of Work on Benefits
- 5) Performance Management and Data Systems
- 6) Government as Leader

**Findings**

- 1) **Education and Transitions Planning**
  - Person-centered planning and the supported decision-making framework are not being used and /or integrated into transition planning consistently
  - Students are not getting connected to services before they graduate
- 2) **Employer Engagement, Development and Support**
  - Employer outreach remains limited: 65% of businesses surveyed responded that they had never been contacted
- 3) **Supply of Opportunities**
  - Nevada appears to have a limited number of service providers, particularly among organizations and entities that provide support and services to individuals with I/DD
- 4) **Impact of Work on Benefits**
  - Continued concern about the benefits cliff

**Conclusion**

To maximize the options available to individuals with I/DD and their families, one would expect to see a more balanced mix (or diversified portfolio) of options. A more balanced option of service and opportunities could better serve the distinct needs and varied interests of individuals with I/DD.

Ms. O'Neil and Alex Goff thanked Ms. Brune for the presentation. Ms. O'Neill asked what could be done to get more community involvement? Ms. Brune commented on the different organizations that the Guinn Center are in conversations with for future involvement.

Drazen Elez mentioned VR has seen similar issues and have started The Ticket to Work program. The agency has started to work on strengthening the collaboration with the school districts and has been a challenge. Expanding the contact with employers to leave a longer lasting impression with them to use the agency for some of their workforce needs. The issue of losing medical benefits are a concern for individuals on disability and possibly losing them. The issues we experience go along with the report presented.

Resource available from Nevada Disability Advocacy and Law Center (NDALC) for individuals with questions on benefits and disability.

8. **DIVISION REPORT**

Drazen Elez, VR Administrator presented the staffing updates. VR has a 30% vacancy rate currently we are at a 23% vacancy rate. Items to report include case load totals and Fair Hearings and the strategic plan for this year. Technical assistance from some of our federal partners and designated technical assistance centers. San Diego University will be reviewing our agencies practices and will provide suggestions where we could improve operations. Consulting of staff with general surveys to develop new goals. New direction for VR is on our website at vr.nevada.org for anyone to look at. A letter of intent was sent out to Legislation Bureau Council for our financial budget from the last session.

Sheena Childers, VR Bureau Chief provided caseload statics updates. Counselor caseload size is 81 up from 75, this total included VR, General and Blind and Visually Impaired cases. Open cases as of December 2021 was 2948. January new open cases in 227 highest number since the start of the pandemic.

Nevada State Rehabilitation Council quarterly goals based on Federal Fiscal Year 2022.

**Goal #1** Increase number of Successful Employment Outcomes.

Current total is 152 the goal is 550

**Goal #1: Increase Number of Successful Employment Outcomes**

Federal Fiscal Year	(A) Clients Closed After Service With No Employment	(B) Clients Closed With An Employment Outcome	(C) (A+B) Total	B + C = %	Goal relates to column (B)
2018	1,048	765	1,813	42%	
2019	1,062	681	1,743	39%	
2020	981	453	1,434	32%	822
2021	1,148	453	1,601	28%	822
2022	212	152	364	42%	550
2023					550

A Clients that closed unsuccessfully after receiving services in the report timeframe.  
 B Clients that closed successfully (90 days of employment) in the report timeframe.  
 Measures: The FFY17 total was 746 and projected FFY18 was 768. Goal increased 7% (FFY19 and FFY20 = 822).  
 FFY21: No Changes.  
 FFY22 and FFY23: Goal change 550.

**Goal #2a** Increase Participation for Students with disability in VR Transition Services.

Current total is 226 the goal is 200

**Goal #2a:** Increase Participation for Students With a Disability in VR Transition Services

Federal Fiscal Year	Total Transition Student Applications	Goal
2018	772	
2019	495	
2020	506	1,014
2021	147	1,014
2022	226	200
2023		250

Students With a Disability (Transition Students) with an Application Date in the report timeframe.  
Measures: The FFY17 total was 749 and projected FFY18 was 874. Goal increased 16% (FFY19 and FFY20 = 1,014).  
FFY21: No Changes.  
FFY22 and FFY23: Goal change FFY22: 200 and FFY23: 250

**Goal #2b** Increase Participation and Increase Successful Outcomes of Students with a Disability in VR Transition Services and Post-Secondary Education.

Current total is 145 the goal is 300

**Goal #2b:** Increase Participation and Increase Successful Outcomes of Students With a Disability in VR Transition Services and Post-Secondary Education

Federal Fiscal Year	(A) Transition Students Closed With an Employment Outcome	(B) Transition Students With Postsecondary Education	(C) Total Number of Measurable Skill Gains for OPEN cases	(D) Total Number of Measurable Skill Gains for CLOSED cases	(E) Total A + B + C + D	Goal relates to column (E)
2018	175	136			136	
2019	87	157			157	
2020	100	194			194	400
2021	117	118			235	400
2022	33	21	65	26	145	300
2023						300

A Transition Students that closed successfully (90 days of employment) in the report timeframe (60% of Total).  
B Transition students with an authorization in occupational, vocational and/or university training and/or documented measurable skill gains with a service begin date  
Measures: (A) and (B) the FFY17 total was 148 Employed and 156 in Postsecondary Education, totaling 304. The FFY18 total was projected at 180 Employed and 104 in Postsecondary Education, totaling 284. Goal of 400 (combined total) for both FFY19 and FFY20.  
FFY21: No Changes.  
FFY22: Add columns (C) and (D) to include Measurable Skill Gains for OPEN and CLOSED cases within the report timeframe.  
FFY22 and FFY23: Goal Change FFY22: 300 and FFY23: 300



**Goal #2c** Increase Participation and Ensure Students with a Disability receive appropriate Pre-Employment Transition Services (Pre-ETS)

Current total is 90 the goal is 500

Goal #2c: Increase Participation and Ensure Students With a Disability receive Appropriate Pre-Employment Transition Services (Pre-ETS)

Federal Fiscal Year	(A) Potentially Eligible Transition Students That Received Pre-ETS Service	(B) Transition Students With A VR Case That Received Pre-ETS Service	(C) Total	Goal
2018	1,173	330	1,503	
2019	576	328	904	
2020	825	331	1,156	1,898
2021	122	271	393	1,898
2022	21	69	90	500
2023				750

Transition students with an authorization in any of the five Pre-ETS categories: Counseling on Post-Secondary Measures: For FFY17, 1,065 transition students received Pre-ETS services and in FFY18, the total was 1,725. Goal increased 10% (FFY20 = 1,898).  
 FFY 21: No Changes.  
 FFY22 and FFY23: Goal Change FFY22: 500 and FFY23: 750

**Goal #3a** Increase Participation of Supported Employment Consumers in VR

Current is 441 with 23% goal is 35%

Goal #3a: Increase Participation of Supported Employment Consumers in VR

Federal Fiscal Year	(A) Total Open Supported Employment Consumers	(B) Total Open Non Supported Employment Consumers	(C) A + B = %	Goal relates to column (C)
2019	511			
2020	529			786
2021	812			786
2022	441	1881	23%	35%
2023				35%

Supported Employment Consumers with an Application, Eligibility, Service and/or Employment Date  
 Measures: The FFY17 total was 503 and FFY18 was 523. With three quarters reporting in FFY19, the total was 684. Goal increased 15% (FFY20 = 786).  
 FFY21: No Changes.  
 FFY22: Add 3a(B): Total Open Non Supported Employment, provide comparison %.  
 FFY22 and 23: Goal Change to 35% based on column (C)

**Goal #3b** Increase Successful Outcomes of Supported Employment Consumers in a Competitive, Integrated setting

Current is 43 with 36% goal is 100

**Goal #3b: Increase Successful Outcomes of Supported Employment Consumers in a Competitive, Integrated Setting**

Federal Fiscal Year	(A) Supported Employment Consumers Closed With an Employment Outcome	(B) Non Supported Employment Consumers Closed With an Employment Outcome	B + A = %	Goal
2018	132			
2019	111			
2020	83			166
2021	97			166
2022	43	118	36%	100
2023				100

Supported Employment Consumers that closed successfully (90 days of employment) in the report timeframe.  
 Measures: The FFY17 total was 126 and FFY18 was 132. Goal increased by 20 (FFY19 and FFY20 = 166).  
 FFY21: No Changes.  
 FFY22: Add 3b(B): Total Non Supported Employment Closed Cases, provide comparison %.  
 FFY22 and 23: Goal Change 100

**Goal #3c Increase Successful Outcomes of Students with a Disability who are also Supported Employment consumers in a competitive, Integrated Setting – Outcomes**

Current is 6 or 43% goal is 40%

**Goal #3c: Increase Successful Outcomes for Students With a Disability Who Are Also Supported Employment Consumers in Competitive, Integrated Setting - Outcomes**

Federal Fiscal Year	(A) Students With a Disability and Who Are Also Supported Employment Consumers Closed after Service No Employment Outcome	(B) Students With a Disability (NOT Supported Employment Consumers) Closed after Service No Employment Outcome	(C) A + B = %	(D) Students With a Disability and Who Are Also Supported Employment Consumers Closed With an Employment Outcome	(E) Students With a Disability (NOT Supported Employment Consumers) Closed With an Employment Outcome	(F) D + E = %	Goal relates to column (F)
2020	70			29			
2021	49			25			
2022	15	34	44%	6	14	43%	40%
2023							40%

Students With a Disability Who Are Also Supported Employment Consumers that closed successfully (90 days of employment) in the report timeframe.  
 Measures: Currently collecting data so no goal was set.  
 FFY21: No Changes.  
 FFY22: Add 3c(B) SWD Not SE Closed after Service No Employment Outcome and provide comparison % (C). Add 3c(E): SWD Not SE Closed with an Employment Outcome and provide comparison % (F).  
 Goals related to column (F): FFY22 and FFY23: 40%.

**Goal #4 Collaborate with other Resources to Support Participants with Mental Health Disabilities to Obtain and Maintain Successful Employment.**

Current is 152 or 41% goal is 40%

**Goal #4: Collaborate With Other Resources to Support Participants with Mental Health Disabilities to Obtain and Maintain Successful Employment**

Federal Fiscal Year	(A) Clients Closed After Service With No Employment and a Mental Health Disability *	(B) Clients Closed With An Employment Outcome and a Mental Health Disability *	(C) A + B = C	(D) B ÷ C = %	Goal relates to column (D)
2018	416	307	723	42%	
2019	439	307	746	41%	
2020	460	162	622	26%	330
2021	437	184	621	30%	330
2022	89	63	152	41%	40%
2023					45%

- A Clients that closed unsuccessfully after receiving services in the report timeframe and have a mental health disability.
- B Clients that closed successfully (90 days of employment) in the report timeframe and have a mental health disability.

\* Mental Health Disabilities include depression and other mood disorders, alcohol abuse or dependence, anxiety disorders, eating disorders, drug abuse dependence, mental illness not listed elsewhere, personality disorders, schizophrenia and other psychotic disorders.

Measures: (B) Goal increased by 10% of FFY18 Projection (FFY19 and FFY20 = 330).

Measures: Goal is that individuals with mental health disabilities will have a successful case closure rate similar to other disability groups by FFY23.

Current successful closure rate is 32% and a similar rate would be 41%.

FFY21: No Changes.

FFY22 and FFY23: Goal change FFY22: 40% and FFY23: 45%

**Goal #5 VR Staff Retention Efforts as a Reflection of Employee Satisfaction & Positive Work Culture**

Current is 64 counselors and technicians, 8 transferred, 2 separated from State Service with a 13% negative turnover rate. Staff transferring out went to different state agents with higher advancement.

**Goal #5: VR Staff Retention Efforts as a Reflection of Employee Satisfaction & Positive Work Culture**

Federal Fiscal Year	(A) Total VR Counselors	(B) Total VR Technicians	(C) Total	(D) Retired	(E) Transferred to Another Agency / Resigned	(F) Avg Tenure of Separated Staff (Years)	(G) C + E = % Negative Turnover	Goal
2022	41	23	64	0	8	2	13%	
2023								

Measures: Retention of counseling staff, determine negative turnover rate (G) using (C): Combined total of VR counseling staff and (E): Combined total of transferred/resigned staff.

Goal: Not set for this 2 year reporting period (FFY22/23). Collecting information.

Ms. Merrill reported that in the last quarter there were no Fair Hearing requests received by the Division.

VR developed the VR Strategic Plan for 2022 with seven priorities:

1. Rebuild DETR staff
2. Modernize and Innovate

- 3. Client Centered Design**
- 4. Accountability and Transparency**
- 5. Compliance with Federal Regulations**
- 6. Improving Visibility and Enhanced Branding**
- 7. Improving Performance Indicators**

Strategies were established for each priority to assist in achieving the goal. This information is located on the VRNevada website and is updated as items are completed.

**Priority 1 – Rebuild DETR Staff**

- Strengthen recruitment efforts (utilizing social media & linked in, diversifying methods for recruitments, use staff to network and recruit)
- Supervisory leadership training academy
- Mapping out career ladders
- Mentoring program/buddy system
- Expanding training opportunities with Dale as Coordinator with budget

**Priority 2 – Modernize and Innovate**

- Redesign Business Services Team/outreach to business to include free services to business
- UDT/Improving internal utilization by RC/remove silos
- BDT/Engagement of Governor's Economic Development team/Elisa to speak with GOED & Inc. VR
- Adapting Work Environment to Changing Market Labor/Client Needs/Facility upgrades
- GET DB 101/include in the budget
- Ask for more staff, internal job developers, transition coordinators
- Get loop system for WestBay and Corporate

**Priority 3 – Client Centered Design**

- Redesign Pre-ETS program/service delivery
- Rewrite RC evals to emphasize MSG's/Quality vs. Quantity
- Upskilling the UDT Inc. new procedures for referral
- Paying for quality placements
- Streamlining P&P with client needs as the motivator for all

**Priority 4 – Accountability and Transparency**

- Quarterly state of VR meetings with all staff
- Supervisor taking more active role in case management and staff development.
  - Changing role/expectation of supervisors
  - Supervisors to breakdown perception of silos
  - Supervisor work performance standards – quantifiable measure of supervision – review last case notes
  - Supervisors to do all evaluations timely
  - Letters of Instruction for late eligibility/extensions and late evaluations (adding/implementing consequences at all levels) (Record of Coaching)
- Establishing tools of positive reinforcement
  - Establish statewide Employee of the month
  - Establish a Morale Committee – statewide

- Ask staff what would incentivize them (morale, communication, ask operates statewide)
- Improve reporting platform and active utilization
  - Mandate use of reports
  - Expansion of usable reports
  - Tableau contractor for Developing reports/dashboards and public accountability
- Customer Service
  - Future follow up on current fires (AA III)
  - Return phone calls/email policy 24 – 48 hours
  - Time Doctor – required use
- Bi-monthly report out from commissions, councils, boards, etc. and development of agency platform (AA III)

#### **Priority 5 – Compliance with Federal Regulations**

- Finalize Prior Approval procedure and implement
- Address/readdress Single Audit Findings
- Monitor of quarterly Pre-ETS expenditures
- Enforce the 9-point closure requirement of all cases

#### **Priority 6 – Improving Visibility and Enhanced Branding**

- Clear logo with all versions used approved and on SharePoint
- Clarify email signatures
- Format PowerPoint theme/lobby logo and posters
- Name Badges/polo shirts/tv in lobbies
- Indoor/Outdoor signage for buildings

#### **Priority 7 – Improving Performance Indicators**

- Increasing MSG%
- Data validation and staff accountability
- Pay for higher quality closures
- Data integrity days-no clients-no email

Mr. Elez commented that the items mentioned are helping the organization stay focused on the goal. The two Bureaus are currently in the process of restructuring. The Bureau of Vocational Rehabilitation and the Bureau of Service to the Blind and Visually Impaired They operate separately but function as one organization and will have one statewide supervisor going forward. The North and South regions will have better resources and support to reach out to the rural areas and provide support to those communities.

A letter of intent and required quarterly reporting was recently sent to the Legislative Council Bureau regarding the client service expenditures for both Bureaus which are part of the Rehabilitation Division. The reports evaluated and assessed the need for the distribution of additional funds to the Division which have been appropriated during the 2021 Legislature for allocation during the 2021-23 biennium. They also provide risk assessment of agency potentially entering Order of Section, as defined in the Workforce Innovation Opportunity Act (WIOA). The Rehabilitation Division is expected to seek distribution of additional general fund resources set aside for the Division use. According to the current first quarter forecasts the agency is expected to experience a General Fund shortfall in the amount of \$787,905 in SFY 2022. Furthermore, the Rehabilitation Division estimates that it is at a "low" risk of needing to pursue Order of Selection status.

6. **PRESENTATION OF THE RESULTS OF THE FFY2021 CONSUMER SATISFACTION SURVEY, CONDUCTED ON BEHALF OF THE VOCATIONAL REHABILITATION PROGRAM BY MARKET DECISIONS RESEARCH**

Mark Noyes, Market Decisions Research presented the following information for the Consumer Experience Survey 2021 Annual Results Covering General VR, Youth in Transition and Older Individuals who are Blind and Visually Impaired.

Market Decisions Research (MDR) completed a total of 1,418 surveys in 2021.

- General VR Consumers: 1,148
- Youth in Transition Consumers: 208
- Older Individuals who are Blind Consumers: 62

These surveys were done with consumers with cases open during January 2021 to September 2021, or with cases closed within that time frame.

Cases were further stratified by case benchmarks indicated by NV VR/OIB Program.

- In service IPE to 6 Months
- In Service 6 to 12 Months
- In Service 18+ Months
- Closed Cases

#### **Data Collection During COVID-19**

Data collection was conducted from January to December 2021.

- Unlike 2020, no pauses or changes to our initial data collection plan were necessary to complete data collection.

All data was collected in two different modes

- By telephone from MDR's data collection facility, and
- A new online survey module using email addresses from VR's sample file.

The overall response rate was 29.1%.

- This marks a decline in response rate compared to prior years. Declines in response rate have been common over the COVID pandemic period.

Results are weighted to reflect population characteristics (age, gender, etc.).

- Results accurately reflect the views of your three service populations.

#### **Core Metrics Summary**

##### **What are the VR Consumer Experience Core Metrics?**

**The core metrics are the broad measures of the VR consumer experience.**

- Key measures of the consumer experience that can be compared across concept, across groups, and trended year to year.
- Allow comparison of results across VR agencies using similar metrics.
- Some are domains, which are calculated by combining several questions.
- Others are individual questions.
- Nevada has 11 core metrics

- 6 Domains and 5 key questions.

### Calculation of the VR Consumer Experience Core Metrics

**The consumer experience core metrics all use a common 0 to 100 scale.**

- The most positive result is bound to 100.
- The least positive result is bound to 0.
- Each metric is the average of all scores.

**The higher the score the more satisfied the consumer or the more positively they view their experience.**

- A score of 100 would represent an extremely positive experience among VR Consumers.
- A score of zero would imply an extremely negative experience.

### What are the VR Consumer Experience Core Metrics?

- **Overall Satisfaction and Expectations:** A global measure of the consumer experience with Nevada VR/OIB Program.
- **Experience with Services Provided by VR:** This measure focuses on the services provided by the VR or OIB program and the range of services available in each program.
- **Experience with Staff and Counselors:** Consumer's experience working and interacting with Nevada VR/OIB Program staff and their counselors.
- **Communications with VR Staff:** This measure also looks at consumer's interactions with staff but is focused specially on communications between the consumer and staff. That this is separate from other experiences with staff underscores the importance of communications in the way that consumers rate their experience with Nevada VR/OIB Program.
- **Consumer Control and Involvement:** How consumers perceive their involvement in the process and control over the choices and goals.
- **Outcomes and Meeting Goals:** How well consumers perceive the services provided by Nevada VR/OIB Program help them meet their goals.

### What are the VR Consumer Experience Core Metrics?

- Would you tell your friends with disabilities to go to the Nevada VR/OIB Program for help? (recommendation)
- Did you experience any problems with Nevada VR/OIB Program, or the services provided to you?
- The ease of the application process.
- The accessibility of the Nevada VR/OIB Program office for someone with your type of disability.

### Nevada VR/OIB Consumer Experience Core Metrics

Most scores have maintained a high level of consistency. The item that stands out the most is the scoring for the Older Individuals who are Blind section. Accessibility of the VR office for someone with your type of disability is currently 66. Which is lower than the remaining scores. This may be attributed to office access.

### Nevada VR/OIB Consumer Experience Core Metrics

Domain	Overall	General VR	Youth in Transition	Older Individuals who are Blind
Overall Satisfaction and Expectations	74	73	77	76
Experience with Services Provided by VR	75	74	79	81
Experience with Staff and Counselors	86	85	89	86
Communications with Staff	74	73	79	75
Customer Control and Involvement	79	79	79	79
Outcomes and Meeting Goals	80	80	82	79
Ease of the application process for VR services	77	77	77	73
Accessibility of the VR office for someone with your type of disability	88	89	90	66
Satisfaction with current employment	75	74	77	N/A
Would you tell your friends with disabilities to go to the VR program for help? (% yes)	90%	90%	93%	92%
Did you experience any problems with VR or the services they have provided to you? (% no)	75%	73%	82%	85%

#### General VR

#### Trends to Watch

#### Positive Aspects of the Consumer Experience

- **VR consumers are positive overall but continue to praise their experience with VR staff and counselors.**
- The percentage reporting problems remained stable compared to 2020, despite individuals being better prepared for many of the problems caused by the pandemic.
- Individuals were generally more likely to say they would recommend the program to their friends in 2021 compared to 2020.
- Those completing their **IPE to 6 months in service** were more positive about their control and involvement than other groups, and less likely to report experiencing problems.
- Unlike prior years, those with **closed cases** were much positive than other groups. They reported a more positive experience than others for all core metrics except outcomes and meeting goals and experiencing problems.

#### Less Positive Aspects of the Consumer Experience

- The **least positive** general VR domain is Overall Satisfaction and Expectations and Communications with Staff (both 73).
- Other less positive domains include:
  - Experience with Services Provided by VR
  - Ease of the Application
  - Satisfaction with Employment
- Those in-service 6 to 12 months are less positive about every domain and key outcome. While they still report an experience that is positive overall, this group felt challenged by services to a greater extent than any other.
- General VR consumers consistently experience more problems, as in prior years.



Data shows positive movement over the three trimesters of data collection over the year.

### Problems Experienced

26% of consumer reported experiencing a problem with VR or the services they were provided.

- Of those experiencing a problem, 33% indicated that Nevada VR worked to resolve the problem.
  
- General VR 74 % - reported no problem
- Closed Cases 79% - reported problem
- Cases open more than 18 months 72% - reported problem
- 6 to 12 months in service 68% - reported problem
- IPE to 6 months in service 77% - reported problem

### Types of Problem Experienced by General VR Consumers

- Counselor did not return calls, emails or follow up – 16%
- Listen to customer, understand needs, wants, ability – 16%
- Did not receive employment – 11%
- Better communication needed – 5%
- Services offered were not effective – 6%
- Counselor was not helpful or supportive – 6%
- Didn't receive job search help – 6%

### Consumer Feedback

- Consumers were asked to provide additional feedback when they were not positive in their assessment.
  - Not satisfied with VR
  - VR did not meet expectations
  - Disagreed that VR helped or met their goals, they did not feel welcome, they found something difficult, they did not find VR accessible.
- Feedback was collected through the survey in response to 21 questions.
- Consumers could provide more than one response.
- The following table summarizes the most common responses from 831 consumers that provided additional feedback. This is 72% of interviewed general VR consumers.

### Consumer Feedback

- Counselor did not return calls, emails or follow up – 25%
- COVID-19 related problems – 15%
- Changing counselors, switching too much, causes problems – 14%
- (Tracking of counselor turnover is a good thing; consumer notice it when it happens)

### Employment and job satisfaction

#### 41% of General VR consumers are working

- Working full time, that is, more than 35 hours per week – 23%
- Working part time – 18%
- Currently looking for a job – 38%

## Job Satisfaction

**72% of employed consumers are satisfied with their job.**

- 6 to 12 months in service – 51%

## Job Satisfaction

**Why are you not satisfied with your current job?**

- Had another job, career, training in mind – 12%
- Need a job aligned with skills, training – 10%
- Dissatisfied with aspects of parts of job – 7%
- Problems with employer or coworker – 7%
- Not a career move, only temporary job – 6%
- Bored with job, been at job too long, burnt out, need change – 6%

## Youth in Transition

### Trends to Watch

#### Positive Aspects of the Consumer Experience

**Overall, Youth In Transition (YIT) consumers report having a very positive experience with VR and the services they receive**

- Accessibility of the VR Office is the **most positive** aspect of their experience followed by Experience with VR Staff and Counselors.
- Nearly all youth consumers would recommend the VR program to their friends with disabilities.
- Youth in service IPE to 6 months are more positive about the following aspects of their experience:
  - Their choice of service providers,
  - Communication with staff
  - Overall satisfaction,
  - Outcomes and meeting goals, and
  - Satisfaction with current employment.

#### Less positive Aspects of the Consumer Experience

- **Least positive** domains are Ease of the Application Process and Overall Satisfaction and Expectations.
- Communication has been trending down throughout the year.
- Declining Domains (two or more consecutive trimesters)
  - Communication with Staff
  - Ease of the Application Process
  - Customer Control and Involvement
  - Recommend VR (98% in Trimester 2 dropped to 92% in Trimester 3 of 2021)
- Despite the declines in 2021, youth are still very positive overall.

## Youth in Transition Services

- A series of questions were asked to assess use of special services targeted toward youth in transition.
- Almost all those receiving these services found them valuable.

- Job exploration counseling or career counseling – 57% receiving services – 92% finding service valuable
- Work based learning experiences including a job, internship, or volunteering – 56% receiving services – 97% finding service valuable
- Workplace readiness to help get ready for the challenges of work – 61% receiving services – 97% finding the service valuable

### Problems Experienced

- 17% of youth consumers reported experiencing a problem with VR or the services they were provided.
- Of those experiencing a problem, 46% indicate that Nevada VR worked to resolve the problem.

### Types of Problems Experienced by YIT Consumers

- Listening to consumer, understand need, wants, ability – 15%
- Counselor was not helpful or supportive – 13%
- Counselor did not return calls, emails or follow up – 11%

### Feedback from Youth in Transition

#### Consumer Feedback

- Consumers were asked to provide additional feedback when they were not positive in their assessment.
  - Not satisfied with VR
  - VR did not meet expectations
  - Disagreed that VR helped or met their goals, they did not feel welcome, they found something difficult, they did not find VR accessible.
- Feedback was collected throughout the survey in response to 21 questions
- Consumers could provide more than one response.
- The following table summarizes the most common responses from 103 consumers that provided additional feedback. This is 59% of YIT consumers.
  - Forms and paperwork hard, complicated – 16%
  - Better communication needed – 13%
  - COVID-19 related problems – 13%
  - Received no help in reaching plan or goals – 12%

### Older Individuals Who are Blind

#### Trends to Watch

#### Positive Aspects of the Consumer Experience

- **OIB program consumers report overall positive experiences, but not as positive as they have been in the past.**
- The **most positive** part of their experience is working with OIB program staff and counselors.
- Other positive areas include:

- Experience with Services Provided by Nevada OIB program,
  - Customer Control and Involvement,
  - Outcomes and Meeting Goals, and
  - Overall Satisfaction and Expectations.
- 
- Several domains declined in 2021 trimester 1 but have since notably improved:
    - Outcomes and meeting goals,
    - Overall Satisfaction and Expectations, and
    - Experience with Services.

#### **Less Positive Aspects of the Consumer Experience**

- OIB program consumers report challenges with the application process and rate it more negatively than others.
- More OIB program consumers have experienced problem with the program than other populations.
- Communication with the OIB program was a challenge throughout 2021 and has historically been a lower domain.
- OIB program consumers experience issues with office accessibility more often than other populations. It is the lowest domain score among this populations.

#### **Nevada VR Consumer Experience Core Metrics for Older Individuals Who are Blind – Trends**

Accessibility of the OIB program office for someone with our type of disability – very low 56 in Trimester 3 of 2021 – declined over time since Trimester 3 of 2020

#### **Problems Experienced**

- 15% of consumers reported experiencing a problem, the least of any population.
- Of those experiencing a problem, only 11% indicate the OIB program worked to resolve the issue.

#### **Types of Problems Experienced by OIB Program Consumers**

Counselor did not return calls, emails or follow up – 67%

Did not receive employment, VR could not find me a job – 50%

Listen to customer, understand needs, wants, ability – 33%

#### **Feedback from Older Individuals Who are Blind**

##### **Consumer Feedback**

Time lag to get services, appointments – 26%

Counselor did not return calls, emails or follow up – 19%

Forms and paperwork hard, complicated – 19%

Counselor was not helpful or supportive – 19%

COVID-19 related problems – 19%

Better communications needed – 16%

#### **New COVID – 19 Items**

- This section details the questions added in August 2020 to assess the impact of the COVID-19 pandemic on the consumers experience.
- Questions added are:
  - COVID1. In what ways has the corona virus pandemic affected your experience with VR/OIB?

- COVID2. Have you put VR/OIB services on hold or stopped looking for work?

Asked of those unemployed:

- COVID3. Did you lose or leave a job due to the corona virus pandemic?
- COVID4. Were you laid off, furloughed, or concerned for your safety and left work voluntarily?

### **COVID - 19 Impact on the Consumer Experience**

Unable to meet with counselor, social distancing – 28%

Process has slowed down, delays in achieving goals – 21%

Difficulty communicating, hard to get in touch with counselor – 18%

Feedback changed due to consumers polled and the impact on them from COVID restrictions.

- Despite its broader impacts, the pandemic did not affect services for most consumers.
- 20% of consumers put services on hold due to the pandemic.
  - OIB program consumers were most likely to pause their services.
- Just over one in ten General VR (12%) and Youth (17%) stopped looking for work.

### **COVID – 19 Impact on the Employed**

- Among those who are currently unemployed, 23% of general VR and 20% of youth in transition lost a job because of COVID-19.
- Among general VR, 43% were laid off while 47% of youth experienced a layoff.
- Around one-fifth left a job because of concern for their health.

### **Conclusions**

#### **Positive Consumer Experiences**

- **Despite the challenges of the pandemic, consumers remain positive about VR/OIB program experience.**
  - Few consumers report significant impacts and most continued their services.
  - A small percentage lost a job or stopped looking for one.
- The **most positive** aspects of the consumer experience are working with staff and counselors and accessibility of the program office.
- **The YIT population** report a more positive experience than other populations.
- **Those in-service IPE to 6 months** among General VR and Youth are more positive than other service phases.
- By region, **rural consumers** are more positive about their experience than the North or South.

#### **Areas of Focus for Quality Improvement**

- **While no longer the least positive domain, communication is the primary subject of quality improvement feedback.**
  - True of all three service populations
  - A greater issue given the challenges of the pandemic
- Consumer feedback focuses on staying connected and the time it takes to contact their counselor:
  - Counselor did not return calls, emails or follow up
  - Changing counselors, switching too much, causes problems
  - Better communication needed
  - Calls, mail not returned for days, weeks, had to wait too long for return call
- Among suggested improvements:
  - More open communication with client, more follow-up

- Better communication in general
- Increase accessibility of the office and to counselors
  
- **In addition to basic communication issues, population mentions specific issues about not feel heard or respected.**
  - Common feedback includes:
    - Listen to customer, understand needs, wants, ability
    - Counselor was not helpful or supportive
    - Counselor would not listen, dismissed concerns
    - Evaluate where customer is with disability (OIB program specifically)
    - Take specific interests into account when creating goals
  
- **Core areas to monitor and improve**
  - While still largely positive, more consumers report issues with **staff and counselors**.
    - Domain increased consistently in 2021 among General VR and OIB and remained stable among Youth
  - **Outcomes and meeting goals** are also declining for both VR/OIB program compared to this time in 2020.
  - OIB and General VR are more likely to **recommend VR/OIB program** compared to this time in 2020.
  - The **application process** remains one of the more negative aspects of the experience.
  - OIB consumers report considerably more difficulty accessing office than at any prior point.

### Moving Forward

- Data collection will continue in three Trimester data collection periods.
  - January – April
  - May – August
  - September – December
  
- Data collection will still be primarily handled by telephone.
  - Consumers will be provided additional methods by which to complete data collection.
    - Online
    - Mail/Paper
  - We predict online surveys will move to become the primary format for data collection as the survey evolves.
  
- Initial efforts to complete the survey will be done by telephone, followed by:
  - Email reminders to those with available and valid emails
  - Consumers may request an email invitation to the survey or a mailed paper version of the survey.

Continue to ask COVID-19 items until services return to normal.

- Better response rate
- More flexibility

Probe the potential benefits of moving to an online-first contact method

- Counter decreasing – but still above average – response rates
- Cost effectiveness

**N.S.R.C. Meeting Minutes**  
**February 8, 2022**

2022 is a survey renewal cycle where we will be reviewing some questions, doing interviews, and running some focus groups to assess if something in the survey needs to be changed or additional questions are needed.

Ms. O'Neill and Mr. Elez thanked Mr. Noyes for his detailed presentation. Mr. Elez mentioned 6 to 12 months in service consumers are stressed with the process and changes going on with their service plans.

**7. OTHER REPORTS**

None presented at this meeting.

**9. COMMENTS BY THE COUNCIL**

Ms. O'Neill thanked David Nuestro for his participation during his term and work on the special sub-committees for NSRC meetings.

**10. PUBLIC COMMENT**

None.

**11. ADJOURNMENT**

Meeting adjourned at 12:11 p.m.

**Edited By:**

*Javier Fernandez*

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Javier Fernandez, N.S.R.C. Liaison

**Approved By:**

*Raquel O'Neil*

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Raquel O'Neill, Chair

# Public Comment!

My name is Steven Cohen, and I am a disability self-advocate. In the event questions arise based upon my prepared remarks, I am always more than happy to address questions offline at [Steven.Cohen@Alumni.UNLV.edu](mailto:Steven.Cohen@Alumni.UNLV.edu). In addition, LCB Staff are authorized to share my recently updated cell phone number with legitimately interested parties to discuss any matter mentioned herein.

If you were around last Session, the substance of this document should be far from new. If you were not, welcome to what may eventually become the survival guide to disability policy advocacy. What is new, however, nobody in the disability community, or otherwise, could've predicted just over 9 months ago. A global pandemic has indefinitely consternated the budgetary resources of State Governments throughout the country. At temporary risk are many of the projects listed at the end of this document. Disability issues such as those listed should *not* be partisan. The future of both adult and minor services alike are likely to again be at risk. Now, more than ever before, all the Councils, Commissions, Boards, etc., as well as their respective committees, need to put their collective heads together to create a united voice to communicate effectively with their Legislators. To that end, I leave you with over 20 years' worth of national history, as it has, and will continue to, personally apply to our family, and many of the issues identified at the end of this document.

In Summer 1998, my father took early retirement from an Accounting role in private industry. It was always his dream to relocate to Las Vegas. At that time in my life, we had known I was different than other age-appropriate children since preschool, but did not yet have a diagnostic criteria to associate my idiosyncratic behaviors with. We did a thorough investigation of Clark County School District's resources, and ultimately determined that relocating from Central New Jersey to Southern would be a more appropriate decision at that time. It was there that I was formally diagnosed with Asperger's Syndrome, now known in the clinical manuals as Autism Spectrum Disorder, along with several other co-morbid diagnoses, such as Mood Disorder with Aggression, and Major Depressive Disorder.

In the 5 years we spent in Southern New Jersey, the local police department ended up knowing us by name, because we were struggling to cope as a family with this new terminology, which continues to affect all of us almost 20 years later. During the first 3 years, I was verbally and physically aggressive toward those that were closest to me, my parents, attempted to self-harm, and came within inches of being institutionalized for "mental health" reasons. As I entered high school, the disconnect from reality set in when my assigned social worker stated, "We had another Aspie, and they didn't do that," with that representing whatever "behaviors" I was experiencing at that moment in time. In lieu of suing that school district to provide a Free and Appropriate Education, or FAPE, as some educators may know it, we were lucky to have toured an alternative upper middle and high school environment in a suburb of St. Louis, where I ended up spending my junior and senior years. While said school was not where it could have been academically, in handling both local school district and private pay referrals for middle and high school aged pupils, without its robust, near immediate therapeutic model, I may not be here testifying before the Council today. The month after I graduated with "good grades," as some schools justify getting out of their legal responsibilities with, we were finally able to realize my father's dream to move to Las Vegas. In light of the pandemic, domestic violence and related law enforcement matters are on the rise, and, thus, it is more important than ever that officers are properly trained to respond to homes with persons whom society view as "different," including both adults and minors. Of recent note, the Governor of Virginia partially pardoned an African-American man, Matthew Rushin, over a car crash which caused permanent disability to 1 of the victims in another vehicle involved. Unfortunately, since the substance of this document was drafted, it was my most recent understanding from various reputable press sources that Mr. Rushin continues to await release from his correctional facility, with no end date in sight, and he contracted COVID in the process. Since relocating to Southern Nevada, with reasonable accommodations, I am proud to report to the Legislature that I graduated with a Bachelor's Degree in Accounting from UNLV in Fall 2016. I will formally begin exploring the possibility of returning to school for further education in Autism Spectrum Disorders, Intellectual and Developmental Disabilities, and/or Applied Behavior Analysis and/or Special Education Law once COVID deems it safe to do so.



Despite my best efforts to be politically correct, New Jersey natives aren't known for that. As a result, my attempts to "fit in" with mainstream society continue to be an issue, as recently as a few years ago. As an original 700 Hour program hire by Medicaid, I was released from my probationary period without much warning, after having entered the reasonable accommodation interactive negotiation process with the agency. Because most of Nevada's personnel statutes favor permanent employees, I appealed that wrongful termination as a whistleblower, but received a dismissal order less than 48 hours prior to trial, because the original complaint form wasn't filled out properly, or so the Hearing Officer said. I am presently in the lengthy process of initiating Federal mediation and settlement of that matter, to protect what I thought would have been a secure livelihood, State governmental employment. While recently passed Senate Bills 31 and 50 (2019) addressed some issues with the 700 Hour Program, and overall State governmental personnel processes, the common courtesies afforded to human beings with and without disabilities have disappeared in the current societal climate. If Nevada, or Las Vegas, will not provide me a sustainable retirement-capable livelihood for what society deems as basic necessity items, such as food, clothes, and shelter, the Honorable Chris Smith's district, a few short minutes from my childhood homes in New Jersey, is sure to. While our delegation has always ended personal meetings with words to the effect of, "We'll let you know," when the same concerns I present here today have been summarized, Rep. Smith is constantly featured within mainstream disability publications, as being a lead and/or co-sponsor of pro-disability systemic navigation legislation, for one primary reason. While the national statistics concerning autism diagnosis are difficult enough for any human being to swallow, New Jersey's specific statistics are at least half the national average, if not worse. While many disability-based issues have the potential to turn into partisan nightmares, people with disabilities just want to be treated like people. I wish life was that easy, but, it has been far from for our family for the past 27 years. By pure luck, the teacher who gave us the first clues to investigate, when autism was far from a national conversation, will end up being my realtor. As the most wild State session in recent memory recently unfolded, I was often reminded of a quote I received as part of my high school graduation present, many moons ago. In part, "Life is not always black and white. Remember to embrace the grey." (Stork, 2006)

While interpersonal communication, as some of us on Zoom and on the phone remember it, free after 9:00 at night and on weekends, has gotten somewhat lost in the digital age, in May 2019, the nationally syndicated court show "Hot Bench," had a case with a witness with a hearing disability, for which CBS had the financial resources necessary to provide a sign language interpreter, based upon the witness' advance request. In the course of processing that case via my DVR, I clapped twice, once as Judge Patricia DiMango expressed the very point that I have been trying to make since January 2019, "Without opportunities for inclusion as a way of life, we may as well be back in the dark ages, when people in protected civil rights classifications, such as disability, could be discriminated against, just for the heck of it." As a long-standing client, when I want to go into Taurus tiger mode, I should utilize these recent experiences to sit on how I'm feeling in the moment for 1-2 business days, but often instead make waves, when there are more adult ways to solve the issue. In closing the case, the Plaintiff shared this life lesson, which will transition nicely into the theme of my next paragraph. Whether Federal and/or State, systems change doesn't happen overnight. As much time as we have spent fighting over the past decade-plus, with the passage of time, I have become even more sympathetic and thankful to Bureau staff, as, since the implementation of WIOA, Bureau staff's jobs have gotten much more difficult. While not quite person-first, the Plaintiff's take-away was words to the effect of, "Just because someone is deaf, they can still work." Tooting my horn has never been my true style, but, whether Legislatively and/or project-wise, I want to be Nevada's "Nothing About Us Without Us" test case to increase employer understanding of the concept of neurodiversity. In brief, everyone has their own unique gifts, and also weaknesses. No human is perfect, even those who claim otherwise. When that dreaded question is asked in a job interview, it is done for the employer to gauge a candidate's level of personal development and accountability. Sometimes, people make the same mistake more than once, before the epiphany turns on, and the intended lesson is learned (Section 107 fair use/FOIA request). By the same token, while national companies have begun to see the value of such a concept, as the overall labor market tightens, rarely have I read and/or heard of their Nevada franchisors following suit. How can Las Vegas claim to be "The Land of Tourism," without discussing a customer behavioral metric, as part of consumer satisfaction? In almost 2020 America, which has become consumed by a desire for technology, but, more importantly, offensiveness, over things which would not have seen such pettiness a few short years ago, it would take the same few seconds for an overly satisfied customer to positively brag, about something as simple as the diversity of a business' workforce. While not dispositive to make decisions in our most prevalent industries, consumers and customers alike have informed choice. In a person-centered human services marketplace, a cost/benefit/risk analysis is enough, but it is there that staff's involvement in the decision-making process should end. As long as the consumer can provide sufficient evidence of the transferability of soft skills developed through prior experiences, why should the labor market tool, O\*NET control?

Nationally, estimates are that a minimum 75% of working age people with Asperger's or another autism spectrum disorder are either unemployed or underemployed. I can only provide the consumer perspective concerning New Jersey, Missouri, and Nevada's available Federally mandated social "welfare" programs, but, without one of the key indicators of a quality of life, competitive, integrated employment alongside people without disabilities, working aged people with Asperger's and on the autism spectrum are left to find other ways to occupy a 24-hour day. Unfortunately, with no 2 people with Asperger's or on the autism spectrum being identical, no "catch all" legislation can possibly meet every family's unique needs. Why this "rough draft memoir" document has been circulated through countless public meetings over the past half-year, and revised multiple times, has equally as much been about the most confusing Legislative session for Nevada policy veterans in recent memory, as to provide other families who have or will walk in our shoes with hope. With that said, as will be demonstrated later, for the Council's at least fourth consecutive meeting, it is not enough to conduct consumer satisfaction surveys, across a wide spectrum of disability needs, without taking into account what the consumer wants, and, when deficiencies exist, not providing consumers with lip service. Human beings self-discover mistakes in what will wake them up daily all the time, and the forced poverties associated with the complexities of the Workforce Investment Opportunity Act must end, today. As a taxpayer, the management of any Vocational Rehabilitation program in this country who continues to permit the enrollment of Section 14 (c) Fair Labor Standards Act vendor contracts deserve to be put in the nearest Federal penitentiary, until they are willing to stand up to the 535 geniuses in Congress, who placed them in this unfortunate circumstance to begin with. Human service issues wake me up daily, *not* accounting. Unfortunately, for those who are intimately involved in our biannual Legislative process, Rocky (former Legislative Auditor Cooper) has retired since this document was originally conceptualized, but this revision will be sent to Bullwinkle (current Auditor Daniel Crossman), absent management's commitment to hear my concerns, on behalf of the consumer class.

Unfortunately, without systems in place which can provide an appropriate quality of life, having been close to that point ourselves, one of these needs often involves the criminal justice system. In every day life, many times, without the appropriate supports, such as family or close friends, people with Asperger's or autism spectrum disorder will provide a false sense of security regarding the subject matter being discussed, in that they will confirm understanding, when, in fact, they do not understand. In a criminal justice situation, I don't want to imagine the techniques that law enforcement officers have been trained to employ to ensure compliance. With the appropriate societal trainings, people with Asperger's and autism spectrum disorder, and intellectual and developmental disabilities more broadly, can live productive lives, free from the government's interference, whether in the "social welfare" or criminal justice context. As I have continued to dually refine these remarks throughout the past several months, I have been continually reminded of the traumas I experienced during the darkest 5 years of my life, prior to this year, our time in Southern New Jersey. Bullying is the word that is commonly thrown around in mainstream media, but, to this day, I will be the first to speak out against national attempts to abuse, neglect, exploit, etc. any person with Asperger's or autism spectrum disorder, or intellectual and developmental disabilities more broadly. Imagine, for just a moment, having your neighbor in your small community impersonate another individual, explicitly to torment the "different" new guy in the neighborhood. In conjunction with the below request for cameras in special education classrooms, now is the time for the Legislature to make these traumatic events criminal, from the very beginning. If any individual, governmental associated or otherwise, is allowed to traumatize an individual without felonious consequences, they will continue to do so, until someone takes an outspoken stance.

In conjunction with the unofficial agency public meeting Legislative subcommittees/work groups/task forces statewide, the projects I hope to bring forward during the next Legislative session's preparation process, through Legislative, designated state agency representative, provider, and consumer collaboration follow below. Some have come up in previous sessions. Where appropriate, I have added a historical status parenthetical by each project, to allow senior Legislators and/or agency staff an opportunity to locate or request historical information, which is often available via Nevada's Electronic Legislative Information System, or NELIS for short.

- 1) An additional appropriation for the Bureau of Vocational Rehabilitation, or BVR for short, to meet its Federal mandate to provide transition services from local public school systems to "real life"
- 2) An appropriation to create State, city, county, and private industry employment opportunities for young adults with intellectual and/or developmental disabilities, known to consumers and Vocational Rehabilitation staff as the 700 Hour program, with a focus on customizing opportunities for young adults with autism spectrum disorder {700 Hour program - AB 192 (2017) and SB 50 (2019), SB 202 (2019); amended out}
- 3) A thorough review of the State Personnel and related statutes to ensure that protections exist appropriately for protected Federal civil right class individuals, which would include candidates with intellectual and/or developmental disabilities {700 Hour program - SB 202 (2019); amended out}
- 4) A joint resolution urging Congress to end the business practice of sub-minimum wage environments, previously known to senior Legislators, people with intellectual and developmental disabilities, and service providers, as sheltered workshops {700 Hour program - AB 192 (2017) and SB 50 (2019)}
- 5) A quality assurance review of the case management models deployed by the Department of Health and Human Services and Vocational Rehab to determine whether duplicity exists, and whether agencies may be able to consolidate/share case management, personnel, etc.
- 6) Regular staff, management, and provider training for all personnel Statewide who may interact with people with autism spectrum disorder, as well as intellectual and developmental disabilities more broadly, as well as technological investments in ensuring that interactions with people with autism spectrum disorder, and intellectual and developmental disabilities more broadly, are as smooth as possible. For example, it has been my long-standing understanding that the Metropolitan Police Department's dispatch system is too old to allow for any autism spectrum disorder and/or intellectual and developmental disability information to be kept on file, for families who may regularly interact with law enforcement; by contrast, Northern Nevada has already been retaining this information for several years (School District training passed via SB 225 during 2017 session; community law enforcement training passed via AB 129 during 2019 session)

7) An additional appropriation for the State to meet its Federal mandate to provide a free and appropriate education, or FAPE for short, to students with autism spectrum disorder, and intellectual and developmental disabilities more broadly, pursuant to the recent U.S. Supreme Court decision in *Endrew F. vs. Douglas County*, as well as the historical U.S. Supreme Court decision in *Olmstead vs. L.G.*

8) A standard operating protocol concerning like-minded Gubernatorial appointments (See NRS 427A)

9) An annual Legislative Counsel Bureau Audit Division reporting of unduplicated caseload statistics concerning the Home and Community Based Waiver, Supportive Living Arrangement, and Jobs and Day Training, Rehabilitation, Employment Security, and program internal controls

10) A joint resolution urging Congress to permit people with intellectual and developmental disabilities to exercise the same rights as people without intellectual and developmental disabilities, without risking their benefit eligibility (e.g., marriage)

11) An additional appropriation for the Autism Treatment Assistance Program, to permit for transitioning young adults from high school to "real life" to have a seamless transition from ATAP case management to Vocational Rehab and/or the geographically-appropriate Regional Center (Discussion has been occurring at least since 2014)

12) An appropriation increasing the Registered Behavior Technician and related Medicaid service reimbursement rates, to reduce the waiting list of families for early intervention through young adult Applied Behavior Analysis services

13) Functional cameras in special education classrooms, which can speak for those students with intellectual and/or developmental disabilities who may have limited functioning capabilities, and cannot say words to the effect of, "Parent, Johnny hurt me today, and here's why." (Discussion has been occurring since at least 2004)

14) An additional appropriation for the Autism Court

15) A bill of rights related to the criminal justice system for people with Asperger's and autism spectrum disorder, as well as intellectual and developmental disabilities more broadly, including those persons who may not be able to communicate effectively

16) An appropriation to increase the minimum wage for direct support professionals who are certified through an agency, and largely paid by the geographically-appropriate Regional Center and/or Medicaid to provide independence skill development services to young adults with intellectual and/or developmental disabilities

17) An appropriation to or programmatic restructuring of the Aging and Disability Services Regional Centers and Medicaid, ultimately increasing the Home and Community Based Waiver, Supportive Living Arrangement, and Jobs and Day Training reimbursement rates

18) An appropriation allowing for additional per-account holder savings in Achieving a Better Life Experience accounts

19) An appropriation to continue the Money Follows the Person program operations

20) An appropriation to transition Money Follows the Persons' positions from grant-funded to State-funded (Concept currently continued for 3 months by recent Congressional vote; status beyond 3 months unclear due to recently-suspended Federal shutdown)

People with autism spectrum disorder, as well as intellectual and developmental disabilities, are people first. Thank you for your consideration, and I look forward to working with relevant parties during the interim. Some of these subjects have been passed previously, but need improvement and/or protection, and some are newly conceived, or requested for review for the first time in many years, per the available Legislative historical functions available. I hope that the highlighted relevant subjects and narrative has been informative to the Council. I thank you for your time, and welcome any questions at my contact information, which was provided at the beginning of these prepared remarks, and/or is available via Council staff.



Good morning Madam Chair, Mr. Vice Chair, Council Members, Staff, and Distinguished Guests,

As identified every quarter, my name is Steven Cohen, and I have been a Bureau client for the better part of a decade and a half, off and on. Recently, it has come to my attention that ACRE certification is required for job developers, even for supported employment. Given how few SE providers are properly certified and/or contracted, this places clients in a precarious situation of either working with the Bureau's IJDT, having their case stale, or choosing another Ticket provider.

It has further come to my attention that cases are being administratively closed during COVID. While a previous case of mine was closed pre-COVID, unfortunately, due to pending litigation against the Bureau on this very point, I am unable to publicly offer specifics at this time.

Lastly, it has most recently come to my attention that at least one client is having reimbursement sought for perfectly reasonable transportation and related work-readiness expenses (e.g., clothing) from his first paycheck, rather than being supported in these endeavors until he receives said check, consistent with long-standing Bureau policy.

I hope the Council will take these informed choice and policy matters seriously, and promptly place them for discussion and quality review-oriented action on the May meeting agenda.

As an aside, welcome to budget build. Legislative reform is coming on multiple fronts to tangibly further disability-focused employment opportunities in Nevada, if it's the last thing I do before I leave this last-in-almost-everything State following the '24 election, having nothing to do with the results, but, rather, the fact certain disability matters are expected to be on that ballot. If anyone would like to stand beside me in this endeavor, I welcome that collaboration.

Thank you, Madam Chair, and I provisionally yield to the second session, where I may seek to comment further on matters considered during today's meeting. In the alternative, if time doesn't permit, I may send Staff additional exhibits following the meeting, for summary transcription and inclusion with the minutes, consistent with OML practice.