**State Rehabilitation Council (SRC)**

**Policy Committee Meeting**

**August 8, 2024, 10:00 a.m. – 12:00 p.m.**

Location: Department of Rehabilitation (DOR) Central Office, 721 Capitol Mall, Room 407, Sacramento, CA 95814

*Meeting Minutes*

*Approved on October 17, 2024*

Note: This committee meeting was held in accordance with California Government Code section 11123.5. There may be members of the public body who participated in meeting who were granted a reasonable accommodation per the Americans with Disabilities Act (ADA).

Attendance:

* SRC Policy Committee members in attendance (by Zoom): Chanel Brisbane, Ivan Guillen, Theresa Comstock.
* SRC Policy Committee members absent: Candis Welch, La Trena Robinson.
* SRC members in attendance as members of the public (by Zoom): Yuki Nagasawa, Brittany Comegna.
* DOR staff in attendance: Kate Bjerke (present at DOR’s Central Office), Nancy Wentling (by Zoom), Peter Frangel (by Zoom), Megan Davis (by Zoom), Shayn Anderson (by Zoom), Jessica Grove (by Zoom)
* Members of the public in attendance (by Zoom): Joyce Nagel

# Item 1: Welcome and Introductions

Kate Bjerke, SRC Executive Officer, reviewed the Bagley-Keene Open Meeting Act requirements. Chanel Brisbane, SRC Policy Committee Chair, welcomed attendees to the meeting. Members and attendees introduced themselves.

# Item 2: Public Comment

Kate Bjerke, SRC Executive Officer, read a written public comment received on August 2, 2024 from Jan Johnston-Tyler, Founder and CEO of EvoLibri regarding Commission on Accreditation of Rehabilitation Facilities (CARF) accreditation requirements.

# Item 3: Approval of the July 11, 2024 SRC Policy Committee Meeting Minutes

Theresa Comstock, SRC Policy Committee member, noted that the draft minutes posted on the DOR online calendar were from February 2024, not July 2024. Bjerke will correct the entry on the DOR online calendar.

It was moved/seconded (Guillen/Comstock) to approve the July 11, 2024 SRC Policy Committee meeting minutes as presented. (Yes – Brisbane, Guillen), (No – 0), (Abstain – Comstock), (Absent – Robinson, Welch). The motion did not pass and the July 11th meeting minutes will be presented again during the next Policy Committee meeting for approval.

# Item 4: DOR Consumer Application Process

Kate Bjerke, SRC Executive Officer, provided a status update on the feedback SRC members gave during the March 6 – 7, 2024 quarterly meeting regarding the DOR consumer application.

1. Per the SRC’s suggestion, a field has been added to the application for individuals to list if they need reasonable accommodations besides (or in addition to) American Sign Language interpreting.
2. The SRC had asked if the term “disability” should be defined in the application instructions. DOR indicated that the definition of disability could be limiting or a barrier for some individuals that don’t identify as having a disability. The goal is for the application to be as inclusive as possible and to leave determination up to the counselor’s professional judgement. In addition, DOR indicated that it’s not necessary to have the term “conservator” defined in the application instructions.
3. The SRC had asked if DOR applicants can log into a portal to track the status of their application. DOR indicated that this feature is not currently available; however, applicants receive an email from DOR after submitting an application that includes the contact information for the applicant’s local office.
4. The SRC had asked if there should be a field in the application for individuals to list if a Community Rehabilitation Program (CRP) or regional center referred them to DOR. Under the “How did you find out about DOR?” question, “Regional Center” is a selection option, and applicants can list their CRP in the “Other” text box.
5. The SRC noted that some applicants may be unable to complete the application in one sitting and asked if there is a funnel/automation that will send reminders via email or text to applicant who initiates, but does not complete/submit, the application. The DOR indicated that regardless of how much information an individual enters into the online application, all applications are submitted to DOR’s case management system’s referral module. As long as some contact information is provided, like a phone number or email address, the individual will be contacted by DOR. There is not a “save” button at this time.
6. Per the SRC’s suggestion, a statement has been added to the beginning of the online application explaining that all required fields have been marked with an asterisk. DOR is working to move all required fields on the first page of the online application to the top of the webpage. Required fields on the second, third and fourth pages will be moved up at a later date when DOR has a renewed contract with the Department’s web developer.
7. DOR confirmed that the application and consumer information handbook have been translated into the top five threshold languages (Spanish, Chinese, Tagalog, Vietnamese, Korean) in alignment with the CalHHS language access policy.
8. The DOR Program Deputies have communicated with their teams that the health questionnaire should no longer be utilized.
9. DOR is not required to include a Cookie Policy on the Department’s website. This applies only to for-profit organizations, entities, and companies.
10. The ability for individuals to upload medical forms via the online application has been removed, based on the SRC’s feedback.

SRC members discussed the need to provide a definition of disability and other key terms for students and individuals with disabilities who are completing the DOR application. It was also suggested that a tracking feature be added to DOR’s website so individuals can track the status of their application in real time.

# Item 5: Maintenance Support for DOR Consumers

Chanel Brisbane, SRC Policy Committee Chair, introduced the agenda item, explaining that during the March 6 – 7, 2023 SRC quarterly meeting, SRC members conducted their annual review of trends resulting from consumer fair hearing/mediation decisions. The SRC identified that consumer maintenance has, and continues to be, an issue that goes to fair hearing. As a result, the SRC would like to learn about the maintenance supports that are available to DOR consumers. The SRC’s initial questions and areas of interest are:

* Policy overview – what are maintenance supports?
* What housing and living expenses can DOR pay for, and for how long?
* When DOR can’t provide the needed maintenance supports, do DOR staff refer consumers to other systems and resources that might be able to provide assistance, like CalFresh and CalAIM?
  + Is this referral process standardized and consistent?
  + Are referrals tracked in AWARE, and do counselors follow up on them?
    - Is there a warm hand off to social workers and other agencies?
    - When DOR denies a maintenance request, are extra efforts made to explore outside resources that might be available?
* What training and information do DOR staff receive on maintenance resources available outside of DOR?

Brisbane then welcomed the following DOR presenters: Megan Davis, Chief of DOR’s Program Policy Section (PPS), Peter Frangel, Manager, DOR PPS, and Shayn Anderson, Regional Director, DOR San Joaquin Valley District.

Davis presented the following information to the SRC Policy Committee:

Slide 1: Defining Maintenance and Maintenance Supports

Slide 2: Regulatory Definition: Maintenance

* “Maintenance” means monetary support provided to an individual for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses and are necessary for the individual’s participation in an assessment for determining eligibility and Vocational Rehabilitation (VR) needs or receipt of VR services under an Individualized Plan for Employment (IPE).
  + 34 Code of Federal Regulations, section 34
  + California Code of Regulations, title 9, section 7019

Slide 3: Examples: Maintenance Supports

* Short-term expenses
  + Food
  + Temporary lodging
* One time maintenance payments
* Student enrichment activity fees
* Security deposits and initial utilities
* Uniform or other suitable clothing
* Occasional or emergency purchases (e.g., personal care items)

Slide 4: Considerations

* Regulations note that guidance is:
  + Not to be construed to mean the Department will provide maintenance on a long-term or ongoing basis to support an individual’s everyday living expenses.
  + Does not take the place of, provide services of, or become permanent program similar to welfare or other social service agencies.

Slide 5: Documentation in the Record of Services

* Availability and use of comparable services and benefits.
* Extent of an individual’s financial participation, if any.
* Amount of expense that must be incurred in excess of normal living expenses to participate in an assessment or receive services.

Anderson provided real-life examples of maintenance supports, including 1) food, clothing and travel support for a consumer to attend a heavy equipment training, and 2) assisting a consumer by renting a U-Haul so they could relocate to a new area where they had been offered a job. He explained that maintenance support is used on a case-by-case basis. All DOR field staff are equipped to refer consumers to the resources and supports they need. Anderson spoke about the new DOR Community Resource Navigator positions in each DOR District that are designed to connect consumers to wrap-around services needed outside of employment supports.

SRC Policy Committee member questions and comments included the following:

* DOR issued a policy memo several years ago numbered 2005.006 with guidance on how to interpret the maintenance regulations. It was asked if this memo is expired, and if/when it will be updated. Nancy Wentling, Chief, DOR VR Policy and Resources Division, explained that the DOR Policy Program Section is working on reimagining the Rehabilitation Administration Manual (RAM) chapters.
* It was confirmed that all requests for maintenance are considered on a case-by-case basis, requiring an analysis or assessment of the facts when determining if a support is outside of a consumer’s normal living expenses.

Brisbane opened the agenda item up for public comment. Bjerke explained that she received a public comment via email on August 6, 2024 from John Doe requesting that the August 5, 2024 decision from the California Court of Appeal, Fourth Appellate District regarding maintenance supports be circulated. Bjerke stated that the decision had been forwarded by email to all SRC members. She noted that the topic of maintenance supports will be an agenda item during the September 11, 2024 SRC quarterly meeting.

# Item 6: Debrief and Recommendation Development

SRC Policy Committee members debriefed on recent policy topics of interest:

* DOR application for VR services
  + Adding the ability for consumers to track the status of their application online
  + Developing a glossary of terms to accompany the application
* Learning about the Commission on Accreditation of Rehabilitation Facilities (CARF) requirements for DOR’s Community Rehabilitation Programs (CRPs). Conducting a survey of CRPs to gather information on expenditures, barriers, revenue and other considerations related to CARF.
* Importance of providing guidance to new DOR field staff about maintenance during the onboarding process
* Request to stay updated on the DOR’s analysis of the appellant decision regarding maintenance supports.
* Receiving data from DOR on consumers earning sustainable, living wages

# Item 7: Adjourn

It was moved/seconded (Comstock/Guillen) to adjourn the August 8, 2024 SRC Policy Committee meeting.