



Public Policy Committee Report – April 2010

Submitted by David Hoff

The APSE Public Policy Committee has been busy monitoring a number of issues over the past quarter. Stephanie Birmingham, APSE's Public Policy Associate has been spending extensive time on Capitol Hill advocating on behalf of APSE members. Along with David Hoff, the Public Policy Committee Co-Chair, Stephanie also attended the National Disability Policy Summit in Washington on April 12th & 13th, which was followed by visits with Congressional Representatives to discuss issues critical to expanding community employment.

Issues that the Public Policy Committee is monitoring include the following:

Proposal to consolidate VR Supported Employment funds with general VR funds:

The President's FY 2011 budget proposes consolidation of the Title VI Supported Employment funds with the Title I General Vocational Rehabilitation (VR) funds. As in past years, APSE will be working to avoid this consolidation, and protect targeted funding for supported employment, with an Action Alert going out to members soon. (See "Vocational Rehabilitation Supported Employment Funds: What Are They, and Why Are They Important" for further details on this issue.)

Proposed new funds for transition: The President's budget proposes \$25 million for a Supported Employment Extended Services for Youth, a new competitive grant program from the Rehabilitation Services Administration. This grant program would expand employment opportunities for youth with the most significant disabilities as they transition from school to adult life. APSE is in support of this effort to improve transition outcomes.

WIA and Rehabilitation Act Reauthorization: It is expected that Congress will finally take action on reauthorization of the Workforce Investment Act (WIA) sometime this year. WIA was originally authorized in 1998, and includes legislation that governs the general workforce development system that assists all individuals with their employment needs, as well as the Rehabilitation Act that governs a number of disability specific programs including the Public Vocational Rehabilitation program. APSE is monitoring developments regarding reauthorization and is providing input to authorization proposals from two disability coalitions. APSE will also be submitting its own separate recommendations on WIA/Rehab Act reauthorization. Among the specific focuses of APSE's efforts:

- Strengthening the definition of supported employment so that is clear that supported employment should result in placements at minimum wage or higher, in individual, employer-paid positions.
- Strengthening the legislative language that ensures that people with disabilities are not discriminated against in their use of the One-Stop system and other general workforce development services, and improving the capacity and monitoring of these services in terms of services for people with disabilities.

Feedback to ODEP Listening Sessions: APSE recently provided comments to the US Department of Labor’s Office of Disability Employment Policy as part of its series of listening sessions. These comments included:

- Concern that while some states are excelling at community employment, overall the national trend on integrated employment has not progressed, and has actually declined slightly.
- A need to focus resources on community employment not only as the right thing for people with disabilities, but also as a cost-effective service strategy versus facility-based programs.
- The need for proper and complete data collection by states of individuals who receive services.
- Stronger support by Medicaid for implementation of the Olmstead decision, particularly in terms of employment.
- Concern that there is wide variation from state-to-state in the percentage of individuals with disabilities utilizing the One-Stop system, and the need to better understand how people with disabilities are using that system.

Increased CMS support for Community Employment: A major source of funding for employment services for individuals with intellectual disabilities are Medicaid Waiver Funds. The Public Policy Committee has been learning about efforts to increase the support of the Center for Medicare and Medicaid Services (CMS- the federal agency that provides oversight of these funds) for integrated community employment. These efforts have been led by a work group from the State Employment Leadership Network (www.seln.org) an initiative of the National Association of State Directors of Developmental Disabilities Services with the Institute for Community Inclusion at UMass Boston. Rie Kennedy-Lizotte from NASDDS recently provided an update to the Public Policy Committee. A primary focus has been on recommendations to change the employment service definitions in the CMS technical guidance. States often use these definitions verbatim in their waiver plans, so definitions that place a stronger emphasis on community employment will allow states to be more comfortable in using waiver funds for employment. Recommendations of the SELN work group include:

- Redefining Prevocational Services with a focus on work related activities.
- Separating supported employment into two distinct services (Individual Employment Supports and Group Employment Supports), with a clarification that individual employment should be at or above minimum wage.
- Creating Career Planning as a new service.

CMS has been receptive to possibly adopting these changed definitions. In addition, mental health advocates are working with CMS to potentially utilize waiver funds for

employment supports for individuals with psychiatric disabilities. You can learn more about this work with CMS by attending Rie's session at the upcoming APSE national conference in June. APSE will continue to keep members updated on these efforts to expand the availability of Medicaid Waiver funds to support community employment.

Meet the Public Policy Committee at the national APSE conference: The Public Policy Committee welcomes all attendees at the upcoming national conference in June to join us for an open discussion session. Members will be given an opportunity to get an update on the committee's activities, ask questions, and help APSE create its Public Policy agenda for the coming year. If you are attending the conference, be sure to look for this session on the conference schedule.

If you have any questions or need further information on the Public Policy Committee activities, please contact the committee co-chairs: David Hoff (david.hoff@umb.edu) or Bob Lawhead (rlawhead@emplink.org).