

**Attachment 4.2(c): Summary of Input and Recommendations of the State Rehabilitation Council; Response of the Designated State Unit; and Explanations for Rejection of Input or Recommendations**

The State Rehabilitation Council (SRC) meets quarterly. The SRC reorganized this past year to better reflect and meet the requirements of the Rehabilitation Act by focusing on the specifics of SRC responsibilities. The SRC is comprised of three working committees in addition to the Executive Committee. The working committees are: Advocacy, Partnership, and Collaboration Committee (APC), Consumer Satisfaction, Agency Outcomes and Performance Committee (CSAOP), and the State Plan, Report and Outreach Committee (SRO). SRC members represent all geographical regions of the state, ethnicities, and most importantly, individuals with disabilities. The Council also enjoys a strong presence of the American Indian Rehabilitation Programs with four directors of four different American Indian Rehabilitation Programs on the Council.

**Regarding Training and Education of Vocational Rehabilitation Counselors:**

**COMMENT:** The State Rehabilitation Council continues to support a policy of advanced education and training of vocational rehabilitation counselors now employed by the Division so they can meet the highest requirements in the State applicable to that profession. Currently, the highest requirement is licensure granted by the Public Education Department.

**RESPONSE:** This is an on-going, joint collaboration between the SRC and the Division. However, this is a two-pronged issue: 1) licensure with the state and 2) Certified Rehabilitation Counselor status. The Division welcomes the support for state licensure and continues to work with the Commission on Rehabilitation Counselor Certification to assess certification. The Division requires all counselors to be licensed. Currently, of 62 counselor positions, 52 counselors have met the requirements for licensure. Of these counselors, the Division employs 16 Certified Rehabilitation Counselors providing direct services to clients and another 13 Certified Rehabilitation Counselors employed in other capacities. The Division encourages acquisition of CRC certification and is pleased that each year individuals are added to these ranks. In addition, the Division will help individuals defray the costs of acquiring continuing education credits and renewal fees for CRC. CRC certification meets the highest licensure requirement in New Mexico; however, CRC certification is not necessarily a requirement of licensure. All new hires into the counseling ranks are required to have a Masters Degree which is a requirement for licensure. Training is made available for DVR counselors to meet the highest requirement in the State applicable to the profession.

**Regarding Licensing of Vocational Rehabilitation Counselors:**

**COMMENT:** The State Rehabilitation Council continues ongoing support of licensing of qualified vocational rehabilitation counselors employed by the Division through authority of the Public Education Department.

**RESPONSE:** The Division welcomes this support. The Division implemented a Comprehensive System of Personnel Development to meet the license requirements for Vocational Rehabilitation Counselors. As of February 2007, 52 counselors have met the state approved standards for licensure. In addition, three of the six Field Program Managers and one of the three Field Operations Directors have been granted licensure.

**COMMENT:** In addition to licensing of qualified vocational rehabilitation counselors, the SRC continues to support appropriate salary analysis for continuous update of competitive salary for vocational rehabilitation counselors commensurate with the educational and licensure requirements of the profession. The SRC remains optimistic of the progress the Division continues to make in assuring competitive salaries for vocational rehabilitation counselors.

**RESPONSE:** As a result of the SRC's comments and concerns regarding appropriate, competitive salaries for vocational rehabilitation counselors, the Division continues to seek ways of addressing the salary of Vocational Rehabilitation Counselors. The Division continues to work with the State Personnel Office to restructure counselor pay to be in line with licensure, education, and competency standards. One compensation mechanism, In-Pay Band Adjustment, is a mechanism to reach and establish appropriate placement through demonstrated performance for those not already appropriately placed. This is a tool that was utilized to provide pay increases in FY 06, and plans are to use this again in FY 08 pending approval of Department of Finance and Administration. DVR did provide In-Pay Band Adjustments to vocational rehabilitation counselors and program managers coinciding with the agency's pay plan to compensate key positions. The agency continues to recruit and hire professional staff at newly established attractive salary levels. In-Pay Band adjustments will continue through SFY 08. The agency is proud that we are very close to having all vocational rehabilitation counselors appropriately placed, in other words, the agency is "almost there." In addition, as a result of In-Pay Band Adjustment and open recruitment practices, the Division has experienced a high number of qualified applicants for advertised vacant positions.

**COMMENT:** The SRC is optimistic about the Division's approach to evaluate counselor job performance based on objective, measurable criteria.

**RESPONSE:** A new program policy instruction became effective July 1, 2005 (PPI-05-01), Employee Development and Appraisal (EDA's) Plans Standardized Criteria for Rehabilitation Services Staff. This PPI provides clear expectations and equitable appraisal of staff job performance, standardized performance for all positions in the Rehabilitation Services Unit that perform essentially the same job functions. Job assignments, based upon the agency's mission and goals, reflect the team approach to case/caseload management and the rehabilitation process. Job assignments focus on completion of the individual job tasks that are essential to the achievement of team and agency objectives. Specific to vocational rehabilitation counselors in the Rehabilitation Services Unit, job performance is rated on four main job assignments:

- 1) to assist participants in achieving a suitable employment outcome;
- 2) provide quality services to participants;
- 3) perform effective case/caseload management through timely service delivery; and

- 4) provide services to participants with significant/most significant disabilities resulting in quality outcomes. Each of the variables has specific criteria.

A fifth job assignment can be added by the Program Manager to address specific caseloads (such as TBI, SDMI, Deaf, etc.) areas of specialty (such as Spanish speaking, transition, etc.), computer liaison responsibilities, Supervising Counselor responsibilities or other activities, which relate to the job and the overall goals and mission of the agency. These measures also align with federal standards and indicators, and state performance measures.

**Regarding Recruitment and Retention of Vocational Rehabilitation Counselors:**

**COMMENT:** The State Rehabilitation Council continues to support ongoing recruitment of graduates from the rehabilitation counseling education program at New Mexico Highlands University. In addition to recruiting local graduates, the SRC also supports ongoing recruitment of qualified vocational rehabilitation counselors from other states.

**RESPONSE:** This is an on-going collaboration between the Division and the SRC. The Division welcomes this support and has successfully recruited a number of graduates from the rehabilitation counseling education program at New Mexico Highlands University to fill vacant rehabilitation counselor positions on a statewide basis. The Division will continue to look forward to recruiting graduates from this program as well as make job offers with appropriate compensation to applicants who qualify from other states. It is noteworthy that the Division has been successful in recruiting qualified counselors with a background in vocational rehabilitation. This is in part due to the Division obtaining approval from State Personnel to operate continuous open recruitment. In addition, the Division has supported individual students by providing opportunities to complete required internships.

**Regarding Other Issues Related to DVR Services:**

**COMMENT:** The State Rehabilitation Council continues to support the appointment of Division representatives to each of the Local Workforce Development Boards.

**RESPONSE:** The Division has appointed a member to each of the Local Workforce Development Boards. A Deputy Director of the Division sits on one local board. Two local boards are represented by Division Field Operation Directors and an Area Program Manager represents one local board. The Division welcomes this support from the State Rehabilitation Council.

**COMMENT:** The SRC continues to support the Native American Liaison Program funded through DVR and administered through New Vistas. The SRC would like to see the NA Liaisons and the DVR Counselors and DVR Technicians interacting more collaborative.

**RESPONSE:** New Vistas in Santa Fe, New Mexico was again awarded the Native American Liaison Program (NALP) contract. Also noted is that all of the Directors of the Section 121 American Indian and Navajo Nation Rehabilitation Programs in New Mexico serve on the State Rehabilitation Council. The Division works closely with New Vistas to assure fulfillment of the contract and the Division works collaboratively with the 121 Programs to align resources, streamline service delivery, and increase employment outcomes. It is important to note that the Pueblo of Jemez has hired a part-time individual who concurrently works part-time for New Vistas as a state liaison. This arrangement is indicative of the strength and collaboration between New Vistas and Section 121 American Indian programs.

**COMMENT:** Along the lines of the DVR Consumer Satisfaction Survey, the SRC would like to see the Division put together an employer satisfaction survey targeting just the employers who helped place DVR consumers in 2005. The SRC would like to see this used as a marketing tool with other business.

**RESPONSE:** Implementing an employer satisfaction survey appears to be a means of acquiring needed information about successful case closures. However, some inherent issues must be addressed prior to conducting a survey. Not all DVR participants disclose to their employer that they are recipients of DVR services. Law does not require such disclosure. Many DVR participants have voiced their concern about disclosing their disabling condition to their employer. Again, law does not require this. Another concern is that some employers may interpret such an instrument as means of intrusion of employer privacy. There will also need to be careful consideration of what the instrument will measure for reliability and verifiability. The contractor working on the Participant and Stakeholder Satisfaction and Statewide Needs Assessment project is in conversation with the Division and has agreed to provide consultation on developing a business/employer satisfaction survey instrument. It is hoped that such an instrument can be used on a continued feed-back operation similar to the continuous feed-back client satisfaction survey which is planned for future implementation.

**COMMENT:** Lack of transportation continues to be a major, on-going, problem and concern of consumers and the State Rehabilitation Council. The SRC will continue collaboration with the Division regarding transportation needs and issues for individuals with disabilities statewide.

**RESPONSE:** The Division continues to work with the Council in examining these needs and possible ways to work with other agencies to increase coordination of existing services. In addition, transportation is a major initiative of the Program Development and Support Unit of the Division, specifically the Whatever It Takes Grant (WIT) transportation program. The Division will continue collaboration with other state agencies and the SRC regarding transportation needs of New Mexicans with disabilities. The Division supports the SRC in conducting the five transportation summits around the state this calendar year in Albuquerque, Grants, Las Vegas, Roswell, and Silver City.

The Division is currently closing out the Whatever It Takes (WIT) transportation program. We are getting to the end of our funds for client services. New clients are not being taken but the Division will complete commitments to the existing ones. This is a much needed program. Efforts continue to look at transportation issues for disabled,

elderly, low income populations, individuals on Medicaid and the general public. Final report of this project is pending.

Local areas are required to identify available transportation resources, to coordinate those resources, to make cost effective decisions about how the resources are to be used and to avoid duplication of resources to take advantage of recent legislation addressing transportation. There are several pieces of legislation that will make coordination a requirement for stakeholders.

These pieces of legislation are:

- Transportation Efficiency Act of 1991 (ISTEA)
- Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21)
- SAFETA-LU (Safe, Affordable, Flexible, Efficient, Transportation Equity Act-A Legacy for Users)
- Formula Grants for Special Needs of Elderly Individuals with Disabilities (Section 5310)
- Job Access and Reverse Commute Formula Grants (Section 5316)
- New Freedom Program (Section 5317)

The Division's WIT Program Manager serves on a committee that is looking at coordinated transportation for a 4-county area: Bernalillo, Sandoval, Tarrant, and Valencia. The work of this committee is mandated in order to receive federal funds with the focus of the committee on transportation issues of the disabled, elderly, low income populations, individuals on Medicaid and the general public

**COMMENT:** The SRC supports School-to-Work Transition services at the high school level and specifically coordinated efforts between the schools and DVR continue to be lacking resulting in increased difficulties of access for transition services. The SRC recommends

- a) DVR have a team of specialists with responsibility of reaching out to students, schools, and school transition specialists statewide to inform, instruct, and collaborate the coordination of transition services for students covered by the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act;
- b) DVR create access to transition services to students 16 years of age.
- c) DVR Transition Coordinator, counselors specializing in transition caseloads, as well as counselors with transition students in their caseloads, collaborate with agencies that provide transition services to enhance and develop comprehensive transition services plans.

**RESPONSE:** Indicated below are strides toward meeting concerns of the SRC:

- a) DVR has counselors assigned to every school district in the state. In most instances, VR counselors enlist the support of rehabilitation technicians to provide outreach and orientation activities. DVR trains counselors and instructs them to contact school districts early in the school year in order to provide information on services and to encourage early application for services by seniors and exiting students. It is important to note that VR staff must rely on public school staff to assist in the coordination of outreach activities. In some instances, this has been problematic. Additionally, Special Education (IDEA) students can be more easily identified as they are receiving services from school staff. This is not always the case with other students with disabilities (Section 504).
- b) Because the Division employs 64 counselors (three of which are transition counselors) to serve in excess 10,000 clients annually, priority is given to serving seniors/exiting students. In many instances particularly with transition counselors, students age 16 and up received consultative services. The Division will continue to strive to serve more transitioning students. The creation of three transition caseloads in Albuquerque, Las Cruces, and Santa Fe is indicative of this effort. Limited resources influence the extent to which the Division can expand service delivery.
- c) The Division will continue to promote greater collaboration with agencies that provide transition services to expand the state's service delivery capacity for transition services and maximize the use of resources. One activity that will promote planning and networking is the annual "Summer Transition Institute" which the Division plays an active role in coordinating.

**COMMENT:** The State Rehabilitation Council continues to welcome Division support for these on-going concerns to the Council, specifically:

- a.) Development of a methodology for keeping eligible participants from dropping out of their program before completion to increase the number of participants successfully completing their program;
- b.) Transportation models for rural and urban area;
- c.) Streamlining of the procurement process, both for consumer services and for grants to programs;
- d.) Methods for improving relations with American Indian Vocational Rehabilitation Programs and the updating of the cooperative agreements;
- e.) Informed consumer choice, e.g. individual service plans and service providers, including self-employment plans for eligible individuals served by the Division;
- f.) Division/State Rehabilitation Council outreach;
- g.) Conduct a comparison of the number of eligible individuals with disabilities to the monetary resources availability ratio prior to an implementation of an Order of Selection criteria;
- h.) Monitor the potentiality of an Order of Selection Implementation;

- i.) Increase the Division's involvement in planning for and providing services to students in transition from school to work or higher education, including Special State Supported Schools; one SRC member suggested that a percentage be identified in this statement to make it more measurable and quantifiable.
- j.) Monitor activities related to Ticket to Work, Workforce Investment, and Welfare to Work Legislation;
- k.) Work cooperatively and in partnership with the Division to assist recipients of SSDI/SSI to receive technical assistance for appropriate training and supports to enable these individuals to retain, regain, or maintain employment including healthcare benefits, transportation and other related services.
- l.) Timely design, dissemination, review and report of Client Satisfaction Survey.

**RESPONSE:** The Division will continue to work closely with the Council and support the Council in its work on these issues. These issues are long-term issues requiring continued allocation of resources and a focused effort to work on and resolve. The Division encourages collaboration with the Centers of Independent Living throughout the state to meet some of these objectives. Another consideration to increase collaboration is to establish a fee for services schedule with Centers of Independent Living. DVR would purchase services from the Centers of Independent Living based on the fee for services schedule for DVR participants to meet the objectives of their Individual Plan for Employment.