

**NEVADA STATE REHABILITATION COUNCIL
MEETING MINUTES
Department of Employment, Training & Rehabilitation**

November 27, 2012
(Amended & Approved 2.26.2013)

DETR
500 East Third St.
Carson City, NV

DETR
3016 W. Charleston Blvd
Las Vegas, NV

Elko JobConnect
172 Sixth St.
Elko, NV

MEMBERS PRESENT:

Maureen Cole
Jane Gruner
Virginia Howard
Kevin Hull
Jennifer S. Kane
Sheena Kaufman
Jack Mayes
Kate Osti
Brian Patchett
Scott Youngs

MEMBERS ABSENT:

Steve Chartrand

GUESTS:

Marsha Ferrell, Transcriber
Delynn Saunders, Certified Deaf Interpreter
Branton Stewart, Certified Deaf Interpreter
Caroline Preston-Bass Certified Hearing Interpreter
Daniel Dickson, Certified Hearing Interpreter
Brook Paulson
Pedro Gonzalez
Harold Herbert
Anita Franz, NV Disability Advocacy & Law Center

STAFF:

Robert Whitney, Deputy Attorney General
Melaine Mason, Deputy Administrator, Operations
Janice John, Deputy Administrator, Program Services
Mechelle Merrill, Rehabilitation Chief
Sylvia Milburn, VR District Manager
Melissa Starr, Management Analyst II
Beth Talcott, Administrative Assistant

EXHIBITS:

- NSRC Chair and Vice-Chair Election roster
- Nevada State Rehabilitation Council (NSRC) September 18, 2012 meeting minutes
- 2012 Annual Report
- Office of Civil Rights suggested changes to the Policy & Procedure manual
- Social Security Administration Ticket to Work Statistics
- Vocational Rehabilitation Re-allotment Update
- Rehabilitation Performance Indicators
- Vocational Rehabilitation Hearings
- NSRC SFY 2012 Budget

I. PUBLIC COMMENTS

Scott Youngs called the meeting to order at 9:26 a.m.
No public comments were made.

II. **ROLL CALL AND CONFIRMATION OF QUORUM**

Melissa Starr called the roll and determined a quorum was present.

III. **VERIFICATION OF POSTING**

Melissa Starr verified that the posting was accomplished on time and per Open Meeting Law requirements.

IV. **WELCOME AND INTRODUCTIONS**

Scott Youngs reminded those attending of the interpreters in the room and to ask members and members of the public to identify themselves before speaking. To speak slowly and concisely so communication can be interpreted effectively

V. **DISCUSSION/POSSIBLE ACTION SPECIAL ELECTIONS**

Scott Youngs, Vice Chair asked the members present if they would like to hold off on the elections until the regularly scheduled May elections or, take nominations from the floor to elect a Chair.

Brian Patchett moved to move forward with the special elections.

Kate Osti seconded. Motion passed.

Jack Mayes nominated Scott Youngs for the position of Chair. Jane Gruner seconded the nomination. Scott Youngs accepted the nomination. Scott noted in the past fairness to the state would be to have a Chair and Vice Chair from different locations in the state. So the Vice Chair position would now have to be from either Rural Nevada or Southern Nevada. No other nominations were given for the position of Chair. A vote was then taken, all members voting in favor of Scott Youngs becoming Chair.

The position of Vice Chair was discussed by Kevin Hull in Elko, Jennifer Kane in Las Vegas both stating they did not have the time to devote to the position.

Maureen Cole reminded the Council that the Vice Chair is the Chair of the State Plan committee in January. She asked Scott if he would be willing to Chair that committee if a Vice Chair was not voted upon. Scott responded to the affirmative.

Jennifer Kane nominated Brian Patchett for the position of Vice Chair. Kate Osti seconded the nomination. Brian accepted the nomination. No other nominations being given, the vote was taken and passed. Brian is currently the Vice Chair.

VI. **DISCUSSION/POSSIBLE ACTION APPROVAL OF THE NEVADA STATE REHABILITATION COUNCIL (NSRC) SEPTEMBER 18, 2012 MEETING MINUTES**

Scott Youngs asked the Council if they were able to read through the September 18, 2012 meeting minutes, then asking if anyone had any changes to make.

Jane Gruner said noted in agenda item eleven, the second bullet the Pathways to Work Program needs a comma between High Sierra Industries, and Mental Health and Developmental Services.

Jack Mayes stated that he attended the meeting via Internet access as a member of the public since his re-appointment to the Council was in pending mode, and would like to have his attendance noted, perhaps as a guest.

Jane Gruner moved to accept the September meeting minutes as amended.

Jack Mayes seconded. Motion passed.

VII. **DISCUSSION/POSSIBLE ACTION REGARDING THE 2012 ANNUAL REPORT OF THE NSRC**

Melissa Starr stated the draft of the Annual Report has a couple of changes; on page eight, under number three the chart has been changed to reflect minorities, 38 percent of minorities and 41 percent of minorities, the word "students" has been stricken. Jennifer Kane was kind enough to provide recent photos for the collaboration section.

Sheena Kaufman noted a typo, suggesting a change in Michael's story at the bottom of page twelve, "them" to "then".

Kevin Hull asked if a different word could be used in regards to the charts on page six. Instead of using "Failed". The Bureau did close 852 cases and that is no failure.

Maureen Cole said the Rehabilitation Administration Services (RSA) uses the verbiage "failed" but for the Annual Report the words "have not met" could be used instead. Kevin agreed that would be less harsh.

Jennifer Kane suggested a revision for page four. Regarding Careers, Recreation and Vocational Education (CRAVE) the paragraph numbered "3" should not be there.

Brian Patchett moved to accept the 2012 Annual Report with revisions.
Jane Gruner seconded. Motion passed.

VIII. **DISCUSSION/POSSIBLE ACTION OFFICE FOR CIVIL RIGHTS (OCR) SUGGESTED REVISIONS TO THE POLICY AND PROCEDURES REGARDING THE PROVISION OF AUXILLARY AIDS AND SERVICES (AAS) AND THE PROHIBITION OF RETALIATION**

Robert Whitney, Deputy Attorney General (D.A.G.) said referring to the printed meeting packet materials, The Nevada State Rehabilitation Council (NSRC) accepted the policies and procedures in the July telephonic meeting. However, the Office of Civil Rights (OCR) had some new comments and suggestions on these policies and procedures. These suggestions and changes are noted in red some with strike-outs where the verbiage is to be deleted. (See attached.)

Brian Patchett was concerned over the deletion of assistive technology and the listing of the different types of impairments. Mr. Whitney replied it was determined instead of focusing only on communication, the way it reads now, the NSRC will ensure that appropriate aids and services are available at no cost to meet disability related needs of each participant, the OCR suggested removing "communication needs".

Scott Youngs referring to Exhibit B asked what the documentation would be for when an individual wants to use their own family member or friend as their interpreter. Would there be an affidavit they would sign.

Sheena Kaufman interjected the Rehabilitation Division has a release from that indicates the client wishes to use their own interpreter for communication purposes. She offered to send a copy to the Council members.

Mr. Youngs stated his concern regarding having an individual request their own interpreter in regards to their qualifications or if they would be an effective interpreter. Would those individuals have identification stating what type of training and certifications they had. The state Communication Access Real-time Translation (CART) has names, contact information and qualifications listed.

Jennifer Kane moved to accept the changes and suggested by OCR as reviewed by Mr. Whitney.

Jack Mayes seconded. Motion passed

IX. **OTHER REPORTS**

Kate Osti reported the independent living council is in the process of writing their 704 report and we will meet again on December 5th to finalize that report. A copy will be sent over to everyone on this council.

Ms. Osti said she would be stepping down as the chair of the Independent Living Council as of January 31st. As everyone probably is aware, Nevada Disability Advocacy and Law Center has been re-designated as the Client Assistance Program, and so we do not want to have any appearance of conflict of interest, I will be stepping down and then of course stepping down as my role of Independent Living Chair for the Nevada State Rehabilitation Council (NSRC) representative.

Ms. Osti continued Anita Franz and Bill Hepland in the Las Vegas, and the point person in Elko is Diana. She thanked everyone for allowing her to participate on this council.

Mr. Youngs asked Jack Mayes if a presentation at a future NSRC meeting could be arranged. Mr. Mayes replied he would be very willing to give a short presentation on some of the recent changes to both the Nevada Disability Advocacy & Law Center (NDALC) and the Client Assistance Program (C.A.P.).

XI. **ADMINISTRATOR'S REPORT**

Maureen Cole said she would be happy to answer any questions about the materials that were presented in agenda item 10. She did want to point out the Division was very pleased and proud about their Customized Employment Program that the Division has conjunction with the Nevada Center for Excellence in Disabilities (NCED) at UNR. This program has been selected for presentation at the National Employment Conference next week in Washington, D.C. Scott Harrington, Steve Rock, and our counselor, Nancy Zhu, will be there to talk about that program, and the successes that the Division has had as well as some of the challenges. The division is very pleased to have them on the national stage and focusing a spotlight on Nevada's Vocational Rehabilitation activity.

Brian Patchett asked Maureen if she could provide some insight for the upcoming legislative session regarding the Rehabilitation budget and when this will be presented to the Finance committee.

Ms. Cole responded the funding is going to be a primary issue, and so we will be watching very carefully if there is any indication that there are going to be cuts or any kind of reductions to the support, that the programs are receiving, we can count on council members to step forward whenever they can and try to provide some countervailing information. She said the Division is going to put together as much information as they can that shows the value of the Vocational Rehabilitation (VR) program and how it helps individual people, but also is a boost to the economy and that is very sorely needed at this time. One of the issues that we will want to watch very carefully is our request to the legislature to combine the two budgets that cover the VR grant. We have budget 3254, which is really the budget for the Bureau of Services to the Blind and Visually Impaired (BSBVI), and the Bureau of Vocational Rehabilitation (BDR) budget 3265. It is a single grant, the Division splits it arbitrarily 80 percent to VR, 20 percent to BSBVI, and then every budget category has to be split the same way.

If we did not guess properly two and a half years ago, then we need to adjust that by taking some money from one account, putting it in the other, for example, for travel, or for office supplies, or for client services, it is a work program that has to go through the whole budget process, through the legislative council process, if it is a sizable sum, more than \$30,000 accusatively has to go in front of the Interim Finance Committee (IFC). Just to buy paper, because we did not guess correctly on how much paper

we were going to need. It has been a concern and it has been expressed to us by some members in the community that they are concerned that by combining the budget we are going to lose services to the Blind and Visually Impaired. It is simply an accounting convenience that allows us to spend the money where the money is needed without having to go through all of the approval committees that the State system requires of us.

As far as having services for the Blind and Visually Impaired, we intend to continue and to augment the program where we can with the funds that are available. Simply put, this is to make it a little less cumbersome to use the money effectively where it needs to be used. Beyond that she did not think they had heard anything that was going to be troubling. The Governor's budget will not come out until the middle of January, she said she was speaking from what the Division requested our budget to look like, and what the final version may be.

Jack Mayes stated the Department of Health and Human Services (DHHS) has created a document that identifies their bill draft requests and what they hope to do and has shared the document in the community for their support. He asked if the Rehabilitation Division would do the same.

Ms. Cole responded the Division does have two Bill Draft Requests (BDR), one would consolidate the afore discussed budget and the other has to do with the Business Enterprise Program (B.E.N.) which would put into statute the prohibition against host agencies charging rent for the space for those vending sites. She said the Division litigated this issue in Clark County and received a favorable ruling, however that is only one part of the state.

Mr. Mayes asked if there was any concern with the Workforce Development Boards who were going through some structural changes.

Ms. Cole replied she did not believe it would affect their clients. The original thought was to consolidate the tow local workforce boards into a single state-wide Workforce Investment Board. The Department of Labor denied that request so the situation is to continue to have a state board and two local boards. The state board is to take a more active role in setting policy and making funding allocations and oversight. A practical sense that is not going to have much of an effect on the way the Vocational Rehabilitation Division does business.

Scott Youngs did mention the number of Rehabilitation Counselor vacancies. He asked if there was anything that the Council could do to help get the word out, or help with recruitment efforts.

Ms. Cole said it is a critical priority for the Division to be fully staffed and to provide quality services. It is difficult when staff leave for one reason or another leaving their caseloads to be taken care of by others. The Division is reaching out to all of the universities that have Vocational Rehabilitation programs trying to attract new counselors. The council could route individuals they know who are casting about for a job or a new career, recent graduates, people who have lost a job for whatever reason, have them talk to Mechelle Merrill or herself or to Janice John who is in Las Vegas, as there are ways that people who do not currently have a master's degree can come into the program, get that additional education and certification, and move into the ranks.

Mechelle Merrill picked up the dialog and stated the Division is looking for an individual who is a master's degree in something similar, social services, social work, special education, etc. Then through category R of the Certified Rehabilitation Counselor (CRC) requirements they can take a few additional

courses on-line and they can meet the standard to sit for the exam. She said it is recognized that nationally there is a problem with not enough graduates, so the Counsel on Rehabilitation Education (CORE) through Rehabilitation Services Administration (RSA) accreditation has designated certain universities as those that have stipends to allow individuals to achieve that level of education to make them employable

Mr. Youngs asked the Rehabilitation staff for a short one page document listing the pre-requisites and qualification for Vocational Rehabilitation counselor. Ms. Cole responded to the affirmative.

XII. REPORT ON THE COUNCIL'S STATE FISCAL YEAR 2012 BUDGET AND SUGGESTED ADJUSTMENTS

Melissa Starr reported the Council does have some increase in expenditures again for some professional services, and our printing and mailing of the annual report. She said even with the increase in expenditures, it does appear that the existing budget will cover all of the anticipated expenses.

Jack Mayes asked why interpreters are listed twice.

Ms. Starr responded in the past the Division would use an interpreter through the Communication Access Real-time Translation (CART) list from the Department of Health & Human Services (DHHS), so there would be interpreter costs in both Professional services and contracts. However, we do not expect to see any professional expenses in the future, every interpreter will be coming through a contracted service provider.

XIII. PUBLIC COMMENTS

Hello, my name is Harold Herbert, my wife is actually from Korea, her name is Mi, (M-i) Herbert. I have been requesting a certified deaf interpreter specifically for my wife. I have been waiting for almost five months, and nothing has happened. I am trying to use video relay to help her look for a job, it has been very difficult, I am not getting interpreter services. It is frustrating for both of us.

Mr. Herbert continued he would like to see better access here in the building. For example, jobs are posted, and he looks at the information on the posting, but cannot call. He needs to get a video phone in the public area to make phone calls for jobs. Instead of my having to go home and make those calls, he would like a video phone in the public area of the WestBay Vocational Rehabilitation office building, so he and individuals like him could use the video phone to make those calls for the job postings. Thank you.

Mr. Gonzalez said he wanted to clarify the recent discussion on relay services. He asked "Do I have to use the relay instead of using a Certified Deaf Interpreters (CDI)?" He was very concerned about that. He said he relies heavily on CDI's. Many times the relay interpreters do not meet his needs in their qualifications. So it is critical when a CDI is needed that he is able to access that service which is an effective communication for himself and others who need a CDI, which is a certified deaf interpreter.

Mr. Herbert added he wanted to mention he had a similar problem when he went to the welfare office, when he went in they said no, no, no, you do not come here. You stay home and you use the video relay service to call us.

Maureen Cole responding to Mr. Gonzalez 's question about having to use the relay services. The changes to the policy only list the types of services that can be available, but we will always provide the service that is appropriate and requested. So no one is going to be forced to use a mode of communication that is not effective for them.

Mr. Gonzalez responded. Thank you, he really appreciated that.

XIV. ADJOURNMENT

Scott Youngs entertained a motion to adjourn the meeting.

Steve Chartrand moved to adjourn.

Kate Osti seconded. Motion passed.

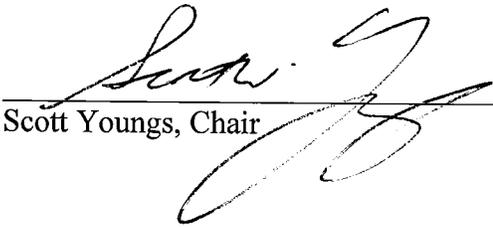
Meeting adjourned at 11: 09 a.m.

Edited By:



Beth Talcott, AA II, NSRC Support Staff

Approved By:



Scott Youngs, Chair

3/5/13