

RSA-227 - Annual Client Assistance Program (CAP) Report

Virginia (Disability Law Center of Virginia) - H161A170067 - FY2017

General Information

Designated Agency Identification

Name disAbility Law Center of Virginia

Address 1512 Willow Lawn Drive

Address Line 2 Suite 100

City Richmond

State Virginia

Zip Code 23230

E-mail Address info@dlcv.org

Website Address <http://www.dlcv.org>

Phone 804-225-2042

TTY

Toll-free Phone 800-552-3962

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Operating Agency (if different from Designated Agency)

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City Richmond

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Additional Information

Name of CAP Director/Coordinator Colleen Miller

Person to contact regarding report Robert Gray

Contact Person Phone 804-225-2042

Part I. Non-case Services

A. Information and Referral Services (I&R)

Multiple responses are not permitted.

1. Information regarding the vocational rehabilitation (VR) program	36
2. Information regarding independent living programs	4
3. Information regarding American Indian VR Service projects	1
4. Information regarding Title I of the ADA	63
5. Other information provided	28
6. Information regarding CAP	1,772
7. Total I&R services provided (Lines A1 through A6)	1,904

B. Training Activities

1. Number of training 21
sessions presented to
community groups
and public agencies.

2. Number of 1,772
individuals who
attended these
training sessions.

3. Describe training presented by the staff. Include the
Through our Coming of Age Project (COA), dLCV educated students regarding VR Rights and Services. The COA project also provided valuable information on supported decision making, the age 18 redetermination for Social Security Income (SSI) and transition services in an IEP. dLCV

following information:

- a. topics covered
- b. purpose of the training
- c. description of the attendees

provided these educational topics to community groups and advocacy partners when asked. dLCV provided full day conferences on all topics and individual presentations on specific topics in the targeted underserved areas of Charlotte, Appomattox, and Southampton Counties, as well as the Eastern Shore of Virginia. Many who attended the presentations had never heard of dLCV or our services. dLCV reached over 585 individuals through 13 presentations and conferences.

dLCV presented at 5 advocacy groups and job clubs on the topics of benefits planning, transition services and VR services including an explanation of the Client Assistance Program (CAP). dLCV provided these presentations at the Richmond Disability Resource Fair, Job Club for the Department for the Blind and Vision Impaired (DBVI), Wilson and Workforce and Rehabilitation Center (WWRC), Disability Resource Center in Fredericksburg and at a college program for students from Virginia Commonwealth University (VCU). dLCV trained a combined total of 69 individuals on the above topics. All had an increase in knowledge on the topics.

dLCV provided 6 trainings throughout the fiscal year in Richmond City, Colonial Heights, Williamsburg, Halifax, and Lynchburg on vocational rehabilitation services in the schools. It was evident throughout the presentations that the students and families needed more information and connectivity with VR services. dLCV offered our services and provided valuable information.

dLCV provided 1 presentation to Virginia Rehabilitation Center for the Blind and Vision Impaired (VRCBVI) and 1 presentation for Wilson Workforce and Rehabilitation Center during fiscal year 2017. The topic was how to avoid an overpayment and work incentives from the Social Security Administration (SSA). There were a combined total of 95 individuals trained at both presentations.

dLCV worked with the Department for Aging and Rehabilitative Services (DARS) offices in Lynchburg, Franklin, and South Boston to provide presentations on CAP related topics as well. dLCV reached a total of 63 individuals for these presentations. Those who attended the presentations had great questions about dLCV services and CAP.

dLCV staff met with leaders at multiple 14c worksites to discuss the impact of Section 511 on their programs, how initial counseling had gone, and any emerging issues. dLCV provided information on our Client Assistance Program (CAP) as a support for those seeking VR services and our other programs that also assist employees as they seek competitive employment. dLCV then met with the DARS representative and with the contractor who is providing the employee counseling required under 511, the Partnership for People with Disabilities. We discussed the response to initial counseling and emerging issues including parent and guardian concerns, loss of jobs, closing of programs before linkage with DARS, confusion about guidance from the Department of Labor (DOL). This project continues in FY 18.

dLCV presented to Hanover Parents Resource Center, parents from Amelia Street School, William and Mary students, Halifax County Professionals the Autism Society, The Arc of Northern Virginia, The Arc South of the James, I Am Determined Conference, the Reach Conference and to parents from United Methodist Family PRTF. The presentations included

C. Agency Outreach

Describe the agency's outreach efforts to previously un-served or underserved individuals including minority communities.

Using CAP and other funding as part of a targeted outreach effort to reach underserved areas in the Commonwealth, dLCV selected the rural counties of Charlotte, Southampton, and Appomattox for training and project work. This work is found in Section B. dLCV also provided Office Hours at Centers for Independent Living (CILs), clubhouses, and workforce centers to reach 54 individuals across the state using CAP and other funding streams. dLCV used our volunteer core of over 50 individuals to attend fairs, conferences and other events to reach many across the Commonwealth as well.

dLCV posted 4 quarterly EEOC hot topic articles in FY 2017. dLCV worked with a volunteer to get a concise summary of each of the articles. Topics included employment 'reassignment' and EEOC guidance about employment rights of individuals with mental health conditions.

An outreach effort of our COA project involved distributing our COA handbook, a valuable resource book full of information of transition and CAP related topics to ten (10) PRTFs including Berry Robinson Center, Harbor Point Behavioral Health, Newport News Behavioral Health, Cumberland Hospital, Hughes Center, Bridges Treatment Center, Hallmark Youthcare Center, Liberty Point Hospital, and United Methodist Families Services Center. We left a combined total of 25 handbooks at 10 facilities.

dLCV participated in 6 resource fairs across Virginia. The fairs reached the Arc South of the James, "I'm Determined" conference at James Madison University, a job fair and resource fair at the Kenmore Club, The Diversity and Inclusion Conference in Virginia Beach Virginia and a Senior Resource Fair in Manassas Virginia. We reached 475 parents, students, service providers, community advocates, individuals with disabilities and their families. dLCV was able to utilize volunteers to attend 3 of the fairs on dLCV's behalf.

dLCV visited 8 office hours sites in FY 17. They included the Endependence Center in Norfolk, Independence Empowerment Center in Manassas, The Kenmore Club in Fredericksburg, Workforce Center in Petersburg, Workforce Center in Richmond, Workforce Center in Fredericksburg, The Virginia House in Goochland, and LASCIL in Lynchburg. dLCV provided information and referral to 54 individuals on a variety of topics including waivers, social security, special education, powers of attorney, accessibility, transition planning, and CAP. dLCV continues close communication with all state DARS and DBVI offices to ensure their clients understand dLCV and the CAP program.

D. Information Disseminated To The Public By Your Agency

For each method of dissemination, enter the total number of each method used by your agency during the reporting period to distribute information to the public. For publications/booklets/brochures (item 4), enter the total number of documents produced. Agencies should not include website hits. See instructions for details.

1. Agency Staff Interviewed or
Featured on Radio and TV 0

- 2. Articles about CAP Featured in Newspaper/Magazine/Journals 0
- 3. PSAs/Videos Aired about the CAP Agency 2
- 4. Publications/Booklets/Brochures Disseminated by the Agency 5887
- 5. Number of Times CAP Exhibited at Conferences, Community Fairs, etc. 29
- 6. Other (specify below)

dLCV offered two public input surveys during the spring and summer of this fiscal year. The first survey allowed our 218 respondents the opportunity to express which disability advocacy issues they feel are most important. The top three categories chosen: quality mental health care, community access and barrier free environment and government benefits. 42% of our respondents were individuals with disabilities, which is an increase of over 10% from last fiscal year. Agencies and groups we reached included: the Department for Aging and Rehabilitative Services (DARS), Virginia Board for People with Disabilities, Arc South of the James, I'm Determined in Harrisonburg (sponsored by the Virginia Department of Education), Partnership for People with Disabilities, Department for Behavioral Health and Developmental Services (DBHDS), three business networking groups and dLCV volunteers. dLCV used this information to develop our FY 18 goals and focus areas.

The second systemic input survey allowed dLCV to receive targeted input from established disability advocacy agencies who reviewed our dLCV Board adopted FY 18 goals and focus area. Agencies contributing to this effort include Mental Health America of Virginia, Virginia Spinal Association, Formed Families Forward, National Alliance on Mental Illness-Central Virginia, VOCAL, DBHDS Office of Recovery Services, Richmond Behavioral Health Authority, Virginia Department for the Deaf and Hard of Hearing, Arc of Northern Virginia, Parents of Autistic Children-Northern Va. Chapter, Brain Injury Association of Virginia. dLCV reviewed these

suggestions and those of our PAIMI Council and incorporated them into our FY 17 work plan. One specific suggestion we incorporated in our FY 18 work plan is focusing on vocational rehabilitation services for individuals with developmental disabilities.

dLCV is pleased to report a 97.7% satisfaction rate from the 44 client satisfaction surveys we received across all grants. This satisfaction rate breaks down as 31 respondents who indicated a high level of satisfaction, 12 were satisfied and 1 was unsatisfied.

dLCV conducted follow-up interviews with 10% of our closed clients for more in depth feedback on our services. 85% percent of clients interviewed reported that they were satisfied with the results they received from our agency. Clients felt dLCV is a valuable resource. One stated, "If I had the money, I would open another dLCV office. Thank you guys so much." Another client reported "In time of overexerted hopelessness disAbility Law Center of Virginia stepped in."

dLCV participated on the Virginia State Rehabilitation Council (SRAC) for the Department for Aging and Rehabilitative Services (DARS) and the SRAC for the Department for the Blind and Vision Impaired (DBVI), assigning two different CAP disability rights advocates to each position. dLCV will continue collaboration with the State Rehabilitation Councils in FY 18. dLCV distributed an "annual report" to the members of the General Assembly and partners in the community which provides statistics and case examples about the work we do.

dLCV maintains a website that posts the following: our federal grants' goals and focus areas, notices for the Board of Directors and dLCV's Advisory Council meetings, job vacancies, announcements, agency publications, and disability-related links.

dLCV has a Facebook page which includes agency information and links to resources.

dLCV's 'VR Rights and Services' and 'Employment Rights' Ask the Expert videos, produced in FY 16 are still posted on www.dlcv.org. Many other resources related VR remain as well. This year, dLCV had 23,665 visitors to our website to view our videos and VR resources.

dLCV conducts outreach and training related to CAP work in conjunction with other funding streams. Many of the projects and outreach activities in this report were completed with multiple funding streams.

E. Information Disseminated About Your Agency By External Media Coverage

Describe the various sources and information disseminated about your agency by an external source.

DARS and DBVI provide information about CAP in their client communication.

Part II. Individual Case Services

A. Individuals served

An individual is counted only once during a fiscal year. Multiple counts are not permitted for Lines A1-A3.

1. Individuals who are still being served as of October 1 (carryover from prior year)	10
2. Additional individuals who were served during the year	56
3. Total individuals served (Lines A1+A2)	66
4. Individuals (from Line A3) who had multiple case files opened/closed this year (In unusual situations, an individual may have more than one case file opened/closed during a fiscal year. This number is not added to the total in Line A3 above.)	56
5. Individual still being served as of September 30 (Carryover to next year. This total may not exceed Line A3.)	14

B. Problem areas

Multiple responses permitted.

1. Individual requests information	5
2. Communication problems between individual and VR counselor	7
3. Conflict about VR services to be provided	46
4. Related to VR application/eligibility process	8
5. Related to assignment to order of selection priority category	0

6. Related to IPE development/implementation	7
i. Selection of vendors for provision of VR services	
ii. Selection of training, post-secondary education	
iii. Selection of employment outcome	
iv. Transition services	
7. Related to independent living services	0
8. Other Rehabilitation Act-related problems	2
9. Non-Rehabilitation Act related	0
i. TANF	
ii. SSI/SSDI	
iii. Housing	
iv. Other:	
10. Related to Title I of the ADA	0

C. Intervention Strategies for closed cases

(Choose one primary service the CAP provided for each closed case file. There may be more case files than actual individuals served.)

1. Short Term Technical Assistance	0
2. Investigation/Monitoring	0
3. Negotiation	31
4. Mediation and other methods of Alternative Dispute Resolution	27
5. Administrative / Informal Review	3
6. Formal appeal / Fair Hearing	0
7. Legal remedy / Litigation	0
8. Total	61

D. Reasons for closing individuals' case files

(Choose one primary reason for closing each case file. There may be more case files than the total number of individuals served.)

1. All issues resolved in individual's favor	40
2. Some issues resolved in individual's favor (when there are multiple issues)	10
3. CAP determines VR agency position/decision was appropriate for the individual	1
4. Individual's case lacks legal merit; (inappropriate for CAP intervention)	2
5. Individual chose alternative representation	0
6. Individual withdrew complaint	4
7. Issue not resolved in clients favor	0
8. CAP services not needed due to individual's death, relocation, etc.	0
9. Individual not responsive/cooperative with CAP	4
10. CAP unable to take case due to lack of resources	0
11. Conflict of interest	0
12. Other (Please explain below)	0

E. Results achieved for individuals

(Choose one primary outcome for each closed case file. There may be more case files than the total number of individuals served.)

1. Controlling law/policy explained to individual	9
2. Application for services completed	3
3. Eligibility determination expedited	0
4. Individual participated in evaluation	1
5. IPE developed/implemented/Services Provided	8
6. Communication re-established between individual and other party	19
7. Individual assigned to new counselor/office	2
8. Alternative resources identified for individual	15
9. ADA/504/EEO/OCR complaint made	3
10. Other (Please explain below)	1
	non-responsive

Part III. Program Data

A. Age

Multiple responses not permitted.

1. Up to 18	14
2. 19 - 24	15
3. 25 - 40	12
4. 41 - 64	22
5. 65 and over	3
6. Total (Sum of Lines A1 through A5. Total must equal Part II, Line A3.)	66

B. Gender

Multiple responses not permitted.

1. Females	26
2. Males	40
3. Total (Lines B1+B2. Total must equal Part II, Line A3.)	66

C. Race/ethnicity of Individuals Served

1. Hispanic/Latino of any race (for individuals who are non-Hispanic/Latino only)	2
2. American Indian or Alaskan Native	0

3. Asian	2
4. Black or African American	31
5. Native Hawaiian or Other Pacific Islander	0
6. White	27
7. Two or more races	2
8. Race/ethnicity unknown	2

D. Primary disabling condition of individuals served

Multiple responses not permitted.

1. Acquired Brain Injury	0
2. ADD/ADHD	3
3. AIDS/HIV	1
4. Amputations or Absence of Extremities	0
5. Arthritis or Rheumatism	0
6. Anxiety Disorder	0

7. Autism Spectrum Disorder	8
8. Autoimmune or Immune Deficiencies (excluding AIDS/HIV)	1
9. Blindness (Both Eyes)	6
10. Other Visual Impairments (Not Blind)	3
11. Cancer	0
12. Cerebral Palsy	0
13. Deafness	3
14. Hard of Hearing/Hearing Impaired (Not Deaf)	0
15. Deaf-Blind	0
16. Diabetes	0
17. Digestive Disorders	0
18. Epilepsy	0
19. Heart & Other Circulatory Conditions	1
20. Intellectual Disability	9

21. Mental Illness	13
22. Multiple Sclerosis	0
23. Muscular Dystrophy	0
24. Muscular/Skeletal Impairment	2
25. Neurological Disorders/Impairment	3
26. Orthopedic Impairments	6
27. Personality Disorders	0
28. Respiratory Disorders/Impairment	0
29. Skin Conditions	0
30. Specific Learning Disabilities (SLD)	5
31. Speech Impairments	1
32. Spina Bifida	0
33. Substance Abuse (Alcohol or Drugs)	0

34. Other Disability

1

35. Total (Sum of Lines D1through D34. Total must equal Part II, Line A3.) 66

E. Types of Individual Served

Multiple responses permitted.

1. Applicant of VR	5
2. Individual eligible for VR services currently on a wait list	4
3. Individual eligible for VR services not currently on a wait list	44
4. Applicant or individual eligible for Independent Living	2
5. Transition student/High school student	10
6. All other applicants or individuals eligible for other programs or projects funded unther Rehabilitation Act	1

Part IV. Systemic Activities and Litigation

A. Non-Litigation Systemic Activities

1. Number of non-litigation systemic activities not involving individual representation that resulted in the change of one or more policy or practice of an agency. 2

2. Describe the systemic activities conducted by CAP during the fiscal year and its impact on other agency's policies or practices.

dLCV opened an investigation of DARS' statewide procedures and practice related to vocational and psychiatric evaluation in order to obtain corrective action to make evaluations fully accessible and timely.

dLCV initiated communication with DARS to find a solution to this problem after gathering information, listening to our clients' experiences and frustrations as they waited months at a time in order to receive assessments and evaluations from DARS. DARS listened. They made this issue a priority and developed a plan to fix it through making changes in their service delivery and operation.

Because of dLCV's advocacy efforts, and the many strategies DARS has implemented, DARS reports there is now no back log on psychiatric evaluations and the vocational evaluations in FFY17 year to date median time between referral for vocational evaluation to the actual vocational evaluation is 28 days. This is down from median of 39.5 days in FFY16 and the lowest it has been in five years!

dLCV also participated on the Virginia State Rehabilitation Council for the Department for Aging and Rehabilitative Services and the Department for the Blind and Vision Impaired assigning two different disability rights advocates to each of the positions. During our participation on the Councils this past year, we assisted with reviewing the candidates for new hearing officer positions for both DBVI and DARS. dLCV will continue collaboration with the State Rehabilitation Councils in FY 18.

B. Litigation

1. Total number of CAP cases requiring litigation involving individual representation resulting in, or with the potential for, systemic change.

a. Number of cases requiring litigation involving individual representation filed during fiscal year. 0

b. Number of on-going cases pending at start of fiscal year (carryover from prior fiscal year). 0

c. Number of cases resolved through litigation during fiscal year. 0

2. Describe the agency's on-going and completed systemic litigation activities involving individual representation.

N/A

Part V. Agency Information

A. Designated Agency

1. Agency Type (select only one option) External-Protection and Advocacy agency

2. Name of designate agency disAbility Law Center of Virginia

3. Is the designated agency contracting CAP services? No

4. If yes, name of contracting agency: N/A

B. Staff Employed

Provide a description of all CAP positions (see instructions)

dLCV utilized advocates and attorneys and support staff from all units to complete our CAP advocacy in FY 17.

Six dLCV advocates and attorneys have attended the NDRN CAP training.

Part VI. Case Examples

Provide some examples of some interesting cases during the past fiscal year.

Let Me Learn

dLCV assisted Kevin, who has an auto-immune disability that prevents him from being around a lot of people. He requested dLCV assist him by advocating for DARS to sponsor his degree through an online education due to his disability.

dLCV attended a meeting with him and successfully negotiated for DARS to provide a trial semester for this individual with further consideration for completion of his degree. The client's only responsibility is to complete research on how the credits will transfer and what college he wishes to attend for his online degree. Kevin can now pursue a vocational goal that fits his knowledge skills and abilities!

A New Beginning

Dorothy is an individual with mental illness and is a client of the Culpeper DARS Office. She and her vocational rehabilitation counselor had poor communication, so she contacted dLCV to request we assist her in re-establishing positive communication with DARS.

dLCV agreed and brought everyone together to the same table. At the meeting, Dorothy explained she can no longer work in her current hair salon because she is allergic to the chemicals that the salon uses for hair color. She needed DARS assistance to help find a new job in a different salon.

We discussed the types of salons she would like to work in. DARS offered her a job coach and she was glad to accept. Due to dLCV's advocacy, she will interview the three vendors and select her own vendor to provide the job coaching services. She was excited about this. At closure, the client was very pleased with the direction of her VR case. She thanked dLCV and reflected, "I wish this could have happened months ago."

Working and Driving

Sherry contacted dLCV to request help negotiating services from DARS. She is a young woman trying to work and learn to drive. dLCV worked hard negotiating over several months and as a result, Sherry received a post-secondary training program and training as well as private transportation to and from the program. She also received supported employment to assist Sherry to find a job, driving training and a review of the Individualized Plan for Employment to ensure appropriate services were included on the IPE so she could pursue her vocational goal.

Case Open

Sarah contacted dLCV to request that we assist her in inquiring about the status of her application for services with DBVI. dLCV learned Sarah's application for DBVI services was closed because at the time of the initial application appointment, the client's vision loss was not permanent or severe enough to be eligible for services. In lieu of Sarah's decreased vision, dLCV was able to negotiate for her application for DBVI services be re-opened and for the client to be re-evaluated at the expense of DBVI. Sarah's appointment was scheduled she was reconnected to services.

Talk to Me

Marsha contacted dLCV and requested we assist her regarding communication issues with her Vocational Rehabilitation Counselor (VRC) from DBVI. dLCV re-established positive communication between the client and DBVI and set up several standing appointments with her and

her VRC to keep the lines of communication open and ensure ongoing communication between the two of them. Marsha and her VRC also met with DBVI's Business Resource Specialist to begin working on actively exploring job opportunities as well.

Never Too Late

Vincent asked DARS to assist him with college tuition at Tidewater Community College to pursue his vocational goal of Funeral Home Assistant. dLCV learned his DARS application status was still in the early stages. Vincent shared that he had completed the placement test at Tidewater Community College, along with the financial aid forms. DARS shared a copy of an evaluation completed by the Choice Group. Due to the evaluation, it was not DARS's recommendation that Vincent attend college but rather to do some work assessments in his area of interest (Funeral Home Assistant). dLCV advocated on behalf of Vincent for DARS to provide a trial semester. The DARS Manager agreed to the trial semester due to the fact that he was already accepted to the college and has followed through on all of their requests and instructions. Vincent can finally go to college!

All Kinds of Help

Janine was spinning her wheels. She contacted dLCV to add services to her DARS Individualized Plan for Employment (IPE) and get services that are currently on client's IPE implemented.

DARS had a lot of work to do to meet Janine's needs. dLCV negotiated the acquisition of medical restoration services (prescriptions, orthopedic shoes, medical supplies, dental and eye exams), negotiated continuing education and acquisition of the re-instatement of her nursing license. DARS also agreed to sponsor conferences and transportation for these conferences as well as the required continuing education courses.

dLCV inquired about adding tuition, books, and fees to her IPE so Janine can get her Master's degree. Once she gets the nursing license back, DARS has agreed to assist her with tuition, books, and fees once she has been admitted into a nursing program. dLCV inquired about a vehicle modification and DARS has agreed to provide this service once client begins working.

dLCV negotiated an assistive technology assessment and due to dLCV's advocacy, she has received a computer, printer/scanner, a computer table and computer chair, as well as software so she can begin signing up and participating in CEUs from home.

dLCV negotiated a plethora of goods and services from DARS for Janine and she was so grateful for dLCV and the advocacy provided. Janine was looking forward to finally moving toward working on accomplishing those vocational and educational goals that she thought were once just a dream!

Certification

Reports are to be submitted to RSA within 90 days after the end of the fiscal year covered by this report. Please be reminded that you can enter data directly into RSA's website via the internet. Information on transmittal of the form is found on pages 19 and 20 of the reporting instructions.

Name of Designated Agency Official Colleen Miller

Title of Designated Agency Official Executive Director

Date Signed 10/19/2017