

**Draft Minutes**  
SRC POLICY AND PROCEDURES COMMITTEE  
SPECIAL MEETING  
Monday, July 13, 2020 12:00 PM – 1:00 PM  
Zoom

**Meeting called by:**

Sherrie Brunelle, Chair, called the meeting to order at 12:01 p.m.

**Members Present:**

- Helena Kehne
- Kristen Carpentier
- Patricia Wehman
- Sherrie Brunelle
- Olivia Smith Hammond

**Members Absent:**

- Deborah Tucker Boyce

**SRC Liaison:**

- James Smith

**SRC Coordinator:**

- Kate Larose

**Guests:**

- Cara Sachs

**1) Introductions** (Sherrie Brunelle)

**Discussion:**

Those in attendance went around the table and introduced themselves.

**Conclusions:**

Thanks to everyone!

**Action Items, Person Responsible, Deadline:**

None

**2) Approval of Agenda** (Sherrie Brunelle)

**Discussion:**

Sherrie asked for any proposed additions or changes to the agenda. There were none. No further discussion. Patti moved to approve agenda. All approved.

Vote unanimous 3-0-0

**Conclusions:**

Motion passes: today's agenda accepted.

**Action Items, Person Responsible, Deadline:**

None

**3) Open for Public Comment (Sherrie Brunelle)****Discussion:**

No one from the public was present.

**Conclusions:**

n/a

**Action Items, Person Responsible, Deadline:**

None

**4) Approval of Minutes for May 7, 2020 (Sherrie Brunelle)****Discussion:**

Sherrie asked for any proposed changes or amendments to the May 7, 2020 minutes. There were none. Helena moved to approve the minutes and it was seconded. No discussion. All approved. Vote unanimous 4-0-0

**Conclusions:**

May 7, 2020 minutes were approved.

**Action Items, Person Responsible, Deadline:**

Upload approved minutes to the SRC website, **Kate Larose**, 7/17/2020

**5) DVR Evolving Guidance to Staff During COVID 19 Restrictions (Group)****Discussion:**

James and Sherrie referenced the most recent guidance that has been sent to staff regarding job placement, job development, progressive employment and worksite supports during the COVID-19 pandemic. This guidance is effective June 22nd, 2020 through July 13th, 2020, and supersedes all prior guidance provided to DVR staff. Guidance was updated June 29, 2020 and [can be viewed here](#).

James and Sherrie asked what role the committee would like in this and how they would like to be informed. Patti and Helena shared that it would be useful to receive guidance as an FYI on an ongoing basis.

James stated that the overall goal is to provide VR services safely and prevent the spread of COVID. He shared that currently all VR counselors are working from home and there is no in-person contact with VR consumers.

James walked through each aspect of the guidance document, which consists of the following:

- Section I. Guidance for Business Account Managers (BAMs), Employment Consultants (ECs) and Job Coaches regarding job development and employer outreach, progressive employment and worksite support.
  - Job Development and Employer Outreach
  - Progressive Employment
  - Worksite Supports
- Section II: Health and Safety Guidelines for Employment Staff for In Person Contact
- Section III: Guidance for All DVR and VABIR Staff Regarding Consumer Job Placement
  - Factors which would Prevent DVR from Supporting a Consumer to Accept a Job Opportunity or Participate in a Work Experience or OJT
  - Case Note Documentation if the Counselor Supports the Placement, Work Experience or OJT
  - Case Note Documentation if the Counselor Does Not Support the Placement, Work Experience or OJT

Sherrie recommended that additional text be added to the last sample case study to make it clear that when a VR Counselor has to document denial of services, they also document that they have informed the consumer of their right to appeal a decision.

Sherrie shared examples of how this guidance has been helpful from CAP's perspective.

Kristen shared that the guidance helped to clarify things, and also noted that there are always cases that come up that require additional time for VR counselors to talk through them with others, and that the guidance has been useful to reference in such cases.

Cara wondered what happens in the cases of clients who have been recalled to work but may not be able to understand and conform to hygiene practices which can put themselves and others at risk, a current concern for developmental services providers. James shared an example of someone with a psychiatric disability whose judgement might be significantly impacted which could, in turn,

impact their ability to follow safety protocols. He also noted that these concerns can also stem from employers who do not follow through on health and safety procedures. He said VR will continue to look at cases on an individual basis, and guidance will continue to evolve as the situation changes.

**Conclusions:**

It was decided that guidance will be sent out to Policy & Procedures Committee members as updates are made.

**Action Items, Person Responsible, Deadline:**

See above

**6) VR Services for SSI/SSDI Beneficiaries under WIOA (Group)**

**Discussion:**

Sherrie asked that committee members reference [Volume 34 of the Code of Federal Regulations Part 361 Subpart B](#) provided in the meeting packet. She highlighted that there is “no Federal requirement that the financial need of individuals be considered in the provision of vocational rehabilitation services”, and that “the State unit may choose to consider the financial need of eligible individuals or individuals who are receiving services through trial work experiences under §361.42(e) for purposes of determining the extent of their participation in the costs of vocational rehabilitation services”.

To date, Vermont has not elected to do any type of required as a condition of receiving VR services. Sherrie stated that, with the exception of the audiology chapter 313, there is no language in the Vermont VR [Policy & Procedure Manual](#) to this regard. Sherrie stated that CAP had a conversation with VR leadership and that it was felt that it was not clearly understood by all VR counselors that if consumers eligible for SSI or SSDI then they cannot be asked to contribute. They wondered what the best way to create more clarity on this in the manual would be and came up with two options: 1) integrate the language into each chapter of the manual (thus requiring each chapter to need to go out to public comment), or 2) create a new chapter that specifically focuses on those eligible for Social Security (including SSI, SSDI, and PASS plans). They briefly also wondered about adding in a paragraph to the spending guidelines, but as those are guidelines rather than rules, they felt it would not solve the problem.

As such, they wanted to bring this to the committee to get members’ thoughts on how to best proceed here. The end goal is to ensure that both consumer and counselors understand the rules on financial contributions, and that DVR cannot seek any financial contribution to the costs of benefits and services from consumers who are eligible for Social Security programs.

James shared that he felt that a standalone chapter would make it easier for a beneficiary to just have one chapter to familiarize themselves with as opposed to multiple chapters.

Kristen shared that she thinks it would be easier for people to navigate if it were encompassed in one chapter.

James asked if the language is eligible for or receiving SSA benefits. Sherrie said the federal regulations state "eligible for". James shared an example of someone who might be earning \$50k a year but still be eligible for SSI/SSDI even though they have zeroed out their benefits.

Helena shared that she supports having a standalone chapter and stated that more clarity is always better.

Liv stated that, overall, it makes sense to not do scaled contributions. She also wondered if the state has concerns about the perception of people who might, on paper, appear to have resources taking away resources from others who those who don't. If not, she recommends not having a provisional clause. James shared that this is not a concern.

Cara said that if scaled contributions are implemented that SSI and SSDI benefits cliffs should take into consideration a phased-in approach to scaled contributions.

Kristen shared that this might also be an issue with shared repairs. She also stated that she supports "eligibility" versus "receiving" because it can take a long time to start getting income from SSA programs.

### **Conclusions:**

The committee will pursue creating a standalone chapter.

### **Action Items, Person Responsible, Deadline:**

- Include creation of a standalone chapter on an upcoming agenda, **Sherrie Brunelle, James Smith, Kate Larose.**

## **7) Adjournment (Sherrie Brunelle)**

Sherrie called the meeting adjourned at 1:01pm.

### **Action Items, Person Responsible, Deadline:**

- Draft minutes uploaded to SRC website, **Kate Larose, 7/17/2020**
- Draft minutes emailed to Committee members, **Kate Larose, 7/17/2020**
- Minutes approved, **Committee, 9/3/2020**
- Approved minutes uploaded to website, **Kate Larose, 9/8/2020**