

Statewide Independent Living Council (SILC)
MINUTES
June 13, 2017
AmericInn – Ft. Pierre

MEMBERS PRESENT: Craig Eschenbaum, Dave Scherer, Steve Stewart, Chuck Quinn, Sarah Rush, Clarke Christianson, Tasha Jones, Tammy Kabris, Bernie Grimme and Sandy Neyhart. **MEMBERS ABSENT:** Dave Miller, Isabel Trobaugh, Gillian Plenty Chief, Marla Bull Bear, Catherine Greseth and Alan Adel. **OTHERS PRESENT:** Rich Eschenbaum, interested observer; Gaye Mattke, Director of Division of Service to the Blind and Visually Impaired; Jennifer Geuther, IL Program Specialist for Division of Rehabilitation Services; Eric Weiss, Director of Division of Rehabilitation Services; Matt Cain, Director of Independent Living Choices; Lyle Cook, Director of Cheyenne River Vocational Rehabilitation Program; David Thomson and Julie Paluch – ASL Interpreters; and Shelly Pfaff, SILC Staff.

OPENING ACTIONS: Craig called the meeting to order at 8:30 AM. WELCOME & INTRODUCTIONS – Craig welcomed everyone to Ft. Pierre and to the meeting. He then invited all to introduce themselves. APPROVAL OF AGENDA – Craig asked if there were any changes to the agenda as mailed. Hearing none – **MOTION TO APPROVE THE AGENDA AS AMENDED – MADE (M), SECONDED (S) AND CARRIED (C)**. Craig then asked if there were any edits needed for the draft March minutes mailed out to SILC members. Shelly requested one minor edit on the final page changes “fural” to “rural”. Hearing no others – **MOTION TO APPROVE THE MARCH MINUTES AS AMENDED – MSC**. Then Craig asked for any changes to the draft May Executive Committee minutes. Hearing none – **MOTION TO APPROVE THE MAY 2017 EXECUTIVE COMMITTEE MINUTES – MSC**.

PUBLIC COMMENT PERIOD: Craig invited any public comments to be brought forward at this time. Bernie shared that registration materials for the Fall Conference will be coming out, and he invited any SILC members interested in participating contact SILC staff so they can work with him to secure needed lodging and complete the needed registrations. The conference will be October 2 – 4 in Pierre. Partners this year are vocational rehabilitation, VR providers, independent living and the Department of Labor.

DRS REPORT: After asking Eric if he had any comments he wished to make, Bernie explained that Steve Stewart would be presenting the "Response to the SILC's Report on AT", Jennifer Geuther would be presenting the DRS reports, he would be reporting on CIL reviews, summer initiatives and contracts and Chuck Quinn would be providing the Board of Vocational Rehabilitation (BVR) Report.

RESPONSE TO THE SILC'S REPORT ON AT: Steve first noted the stakeholders involved in formulating the response (which had been emailed out to SILC members prior to the meeting), followed by drawing attention to the five key topics addressed in the response. Steve then highlighted aspects under each key topic e.g., SD Durable Medical Equipment (DME) Recycle & Reuse Program, alternative funding program, remote monitoring systems, TED and TAD program, development of a new AT logo, involvement of PUC and status of broadband in the state. Following some discussion **MOTION TO SEND THE REPORT AND THE AT DIRECTORY TO THE GOVERNOR AND SECRETARY PEARSON SINCE THEY WERE THE RECIPIENTS OF THE SILC'S INITIAL LETTER AND REPORT – USING TECHNOLOGY TO IMPROVE COMMUNITY LIVING OPPORTUNITIES FOR SOUTH DAKOTANS WITH DISABILITIES – MSC.**

Staff will work with the Chairperson to prepare a letter to be sent on the SILC's behalf. **DRS REPORTS:** Jennifer referenced the cover memo and reports mailed to members prior to the meeting. Approved HMAD Devices and Services Report – She reviewed this report and shared that due to the fact that there would not be funds to support this program in FY18, this report will no longer be a part of DRS IL reporting. Ramp Report – Upon reviewing this report, Jennifer reported that there may be no funds to support this program in FY18, and if that occurs, this is another report that will no longer be a part of DRS IL reporting. Consumer Satisfaction Survey – Jennifer provided a brief explanation of how this information is compiled and the contents of the report. Data reflect the specified timeframe, comments only reflect the last quarter. IL Services Report – Jennifer provided a revised report, and after reviewing it with the SILC she indicated that this report will no longer be completed per the SILC's direction since the data reflected is incorporated in a different report provided to them. IL Fund Sources – Jennifer once again provided a breakdown of the various funding sources used to support IL services. Status of Contracts – Jennifer provided a revised report and reviewed its content with members. The revised report reflected the total fiscal year. A question was raised as to whether NAAP was serving all nine Native reservations. It was explained that with Part B and state funds they are serving seven out of nine, and that is what the map of coverage areas of the CILs identifies. A question

was also asked about what type of funding was used in support of the HMAD and ramp services, which will no longer be available. It was explained that it was unspent State funds used and due to fiscal needs in other programs, they are no longer available to be directed to these programs. CIL Reviews – Bernie continued by reporting that these reviews have all been completed. Jennifer, Mitchell Close – DRS Program Specialist, and Bernie were the review team members. They were a combination of reviewing case files, contract compliance factors, state requirement and federal regulation requirement compliance and some in-home visits of recipients of services. They also verified the accuracy of the consumer satisfaction surveys, accuracy/appropriateness of billings and appropriateness of services. WRIL's review was done on 3/2 – 3/3/17 and most areas were in the higher ratings (90% and above). Recommendations were made on training staff on IL plan requirements and appropriate closure reason documentation. ILC's review was done on 3/14 – 3/15/17 and all of their evaluation ratings were in the 96% or above. There were no findings or corrective actions. The only recommendation was to better evaluate the living situation before providing HMAD services. NAAP's review was done on 4/3/17 and most areas reviewed were below acceptable levels. The following corrective actions were addressed: need to provide training to staff on the TAD program and follow required documentation and reporting requirements; need to meet contract requirements of providing services to individuals with disabilities on Standing Rock and Cheyenne River Reservations – if this requirement is not satisfactorily met, these funds will be offered to other CILs to serve people in those areas; need to recover or create missing files; need to post IRS 990 and complete the FFATA form before a contract can be issued. Due to the significance of the findings, NAAP's next contract will be for only 6 months, at which time it will be reviewed. The IRS 990 and FFATA requirements must be met first before a contract can be issued. Some dialogue followed on the issue continuing to be that people are going unserved in these areas, and there are definitely unmet IL needs of people that need to be addressed. Summer Initiatives – Bernie then addressed the grants that DRS and DSBVI awarded in the areas of Pre-Employment Transition Services for Students with Disabilities and Employment Work Experiences. The Pre-Employment Transition Services... grants do include an IL component. He reviewed the list of awardees (see attached). Contracts – Next, Bernie reported on the status of contracts. He reported on the outcome of the request for proposals for BVR/SILC Staff Support. The contract has been awarded to the SD Coalition of Citizens with Disabilities. He also reported that there was only a .3% provider inflation increase

this year. The contracts with the CILs and SDCCD are in the signing process within the department. The new CIL contracts include changes so Part C funds are used first before State contract funds are used so there is no duplication of payment for services. He also reported that there are no State carry over funds for the HMAD program in FY18 (\$75,000) and no new funds for ramps. There are funds in the ramp contract that may be able to cover costs for the next year. This concluded the DRS Report.

BOARD OF VOCATIONAL REHABILITATION REPORT: Chuck Quinn, member of both the SILC and BVR, provided this report. Their last meeting was 3/30 – 3/31 at this facility. It began with introductory comments by DRS Director Weiss. The Director focused on the goals of vocational rehabilitation, highlighted partnerships with key stakeholders, addressed upcoming Governor's Awards and National Disability Employment Awareness Month activities and collaborative efforts with the Department of Education e.g., Project Skills, Project Search. Chuck then explained that they had a presentation from Dr. Cooch of BHSU on a study looking at "exiters" – students with an IEP at the time they left high school. He's been studying these results since 2008, and the report can be found at www.sdposthighsurvey.org . They also had a presentation from Dan Rounds, Director of the Transition Services Liaison Project. Dan addressed the project's role and several of its major activities e.g., Youth Leadership Forum, Catch the Wave, Transition forums, website and "Let's Talk About Work" program. This was followed by a DRS Director's Report by Director Weiss. He addressed the Executive Order moving the Division of Adult Services and Aging from the Department of Social Services to the Department of Human Services, and renaming the Division to the Division of Long Term Services and Supports. He also reported that the Division is in the budget request cycle again – they will be seeking a small increase for ADLS waiver, provider inflation and expansion of the interpreter mentoring program. He continued by addressing some major items resulting from the latest SD Legislative Session and the nominations process for pending vacancies on the BVR.

When the meeting reconvened on the second day, there were announcements about the Centers for Disabilities Symposium in Sioux Falls on September 10th – 12th and the SD Association of the Deaf Conference in Deadwood June 30th – July 2nd. Then Bernie reported on DRS initiatives focusing on moving individuals out

of sheltered employment to competitive employment and provider training so providers can become certified and earn higher reimbursement for services. Chuck also reported on Section 511 and that schools can no longer contract for students to do subminimum wage work. Then Kim Hoberg, the department's Business Resource staffer, spoke about business led organizations in Sioux Falls and Rapid City, and efforts to develop similar groups in Aberdeen, Brookings and Yankton. The BVR also heard from Brooke Lusk on the SD Benefits Specialist Network, created in 2001 and the Medical Assistance for Workers with Disabilities program which began in 2006. The final items covered during the meeting were NDEAM activities and the consumer satisfaction survey process. Their next meeting is June 21/22 in Pierre. Craig thanked all of the presenters.

DSBVI REPORT: Sandy Neyhart provided this report. Telecommunication Adaptive Devices (TAD) program – Sandy clarified that she was reporting on this program as it relates to individuals who are blind and/or visually impaired. There were 5 new applications in May and 4 so far in June. Sandy attended a training on May 10th sponsored by Teltex, as did Jo Marie Laughlin of the SD Rehabilitation Center for the Blind, who often takes applications for this program. Staff from CSD and SBVI rehabilitation teachers also participated in the training. Thus far 77 individuals have been approved for devices, with 12 approved thus far in the current year, and they range in ages from 10 to over 80. The most common devices acquired by these individuals are the iPad Pro 12.9 and the iPad Pro 9.7. Other devices acquired are the iPad Air 2, iPad Mini 4 and iPhone 6 and iPhone 6Plus. Electronic Video Magnification Lease/Loan Program – In May SBVI ordered an additional 10 machines, which are high-definition and will be used to eventually replace 10 of the 25 17" LCD that are 10 years old. Currently there are 225 machines in the program with no one on a waiting list. SBVI also has a list of locations that have received donated machines and rehabilitation teachers have been touching base with some of the sites offering training on use of them. Assistive Technology Access Program (ATAP) – There have been three new referrals since restarting the program in May. A total of 10 individuals have been referred since February.

BOARD OF SERVICE TO THE BLIND AND VISUALLY IMPAIRED: Sandy reported that Catherine Greseth, member of both the SILC and Board of SBVI, would typically provide this report, but she was unable to be at the meeting. Consequently, Sandy provided the report. Transition Week – SD Rehabilitation

Center for the Blind is presently hosting this event with lodging at Augustana University. They have 12 students participating, and a new outdoor experience is a part of the week through collaboration with the Sanford accessible gym – kayaking. The week includes skills of blindness classes and employment skills training activities, as well as business tours in career interest area and a resource day to learn about community resources. They have also been invited to tour the Department of Labor office and to participate in a communication class at this office. A question was asked about the students' home communities, which was not known but staff agreed to find out. Public Forums – Sandy then reported that the Board participated in a couple of opportunities to gather public input – both “listening opportunities”. One was during the NFB State Convention on May 5th in Rapid City and the second was on June 2nd at a “cookout” in Kyle which involved Disability Rights South Dakota (SD Advocacy Services) and the Division of SBVI and Division of Rehabilitation Services. She estimated about 30 individuals at the NFB event and 70+ at the Kyle event. Board Nominations – They are still awaiting appointments for pending vacancies. Their next meeting will be held June 16th in Pierre, and Patrick Czerny of DakotaLink will bring devices to show members. Craig thanked Sandy for her report.

SILC STAFF REPORT: ACL RESPONSE TO SILC – Shelly referenced the initial letter sent from the SILC to Bob Williams, Director of ILA, in October and the follow-up email sent by the Chairperson to Bob on March 23rd, along with the response from “Bob” on March 27th. All of these relate to the use of Part B funds to meet the IL needs of individuals with disabilities and the underserved and unserved populations on the Cheyenne River and Standing Rock reservations. Consensus was that there is no benefit of taking further steps to contact ACL at this point in time. The SILC will await a report on what transpires between DRS and NAAP between now and their next meeting. Depending on what has or hasn't transpired in an effort to begin meeting the needs of this underserved population, the SILC will then consider what next steps it may take in support of services reaching these people. CIL STAFF TRAINING – Shelly has sent out the summary of evaluations. She spoke briefly to topics for the upcoming year. She then asked others who had attended, or had staff attend, to share their thoughts on the training. Comments were that they felt the training was beneficial – people said “they didn't know...” and that would say there was a need for the topics covered; there was also a sense that staff appreciate the opportunity to be together away from the “office” and have an opportunity to network and socialize with one

another away from the day to day routines. SILC BUDGET REPORT – Shelly quickly reviewed this report – noting that the two categories that historically are not spent totally are CIL Staff Training and Strategic Planning. The training dollars truly fluctuate on whether or not speakers’ fees are needed...the past few years a minimal amount has been used for speakers. 2017 NDEAM Request for Funding – Shelly shared that the SILC had received a request that they consider providing some financial support of these upcoming events. She has looked back to see what, if any, financial support they had provided to these events in the past and reported this information out. After some dialogue on the nature of the events, their purpose and how they are funded, **MOTION TO PROVIDE “UP TO” \$3,000 IN SUPPORT OF 2017 NDEAM ACTIVITIES – MSC.** These funds will come out of strategic planning funds.

At this time, Craig called for a 15–minute break.

DIALOGUE EMERGENCY PREPAREDNESS AND PEOPLE WITH

DISABILITIES: Craig introduced and welcomed Connor Donohoe, Office of Emergency Management. Connor started by asking if anyone knew what was the most destructive of life natural disaster in the U.S.? The answer was a hurricane that hit Galveston, with Hurricane Katrina being the most expensive. The most recent individual assistance disaster in SD was strong winds on the Pine Ridge and the most recent public assistance disaster in SD was an ice storm in the Eureka area last winter. Connor continued by explaining that when a disaster happens, the response begins and ends at the local level. The county emergency manager, local officials and first responders will address life and safety issues first. If clean up/damage is determined to be beyond the capabilities of local resources then State help is requested (see attached PowerPoint presentation). Depending on the severity of the disaster, if State resources are not going to be adequate, the State will seek Federal assistance. He further explained that there are two types of disaster declarations – individual assistance and public assistance. The individual assistance declarations are more difficult to be awarded, and the maximum amount of individual assistance is \$33,000 with the average being \$4,000. Public assistance disasters are more commonly declared once the preliminary damage assessment has been conducted and a request made to FEMA. At this point in the presentation, Connor addressed the role of “preparedness” prior to disasters. He primarily focused on “personal and family responsibility” responsibility of being prepared for disasters, which will occur. He addressed family escape planning,

personal support networks, family communication plan, basic supply kit and kit locations, the importance of messaging, and specific considerations relating to medical and/or disability related needs. Connor handed out a FEMA produced pamphlet – “Preparing Makes Sense for People with Disabilities, Others with Access and Functional Needs, and the Whole Community” to each member, and he circulated a few other resources for the SILC to review. Some dialogue followed on the role the SILC and CILs might take in promoting emergency preparedness with people with disabilities. Craig thanked Connor for coming and presenting to the SILC.

A break was taken for lunch at about 11:30 am, and the meeting resumed at 1 pm.

PUBLIC/RURAL TRANSIT SERVICES IN SD: Craig introduced and welcomed Jack Dokken from the Department of Transportation. Jack subsequently introduced Lisa Donner, a colleague from DOT, who was with him to provide “back-up” since Jack is relatively new to his position. Jack utilized a PowerPoint presentation during his presentation (see attached). The presentation began with a look at the role of SD DOT in the provision of “public transportation” and the various administrative functions they carry out. It continued to address the public transportation goals and objectives, highlighting a few e.g., improving the mobility of people in non-urbanized and small urban areas for purposes of nutrition, health care, shopping, education, recreation, public services and employment without regard to income or minority status; encouraging the development, improvement, maintenance and use of public transportation services in rural and small urban areas; encouraging the facilitating the most efficient use of all federal and state funds to provide passenger transportation in non-urbanized areas through the coordination of programs and services; supporting and encouraging participation of private transportation providers in non-urbanized and small urban transportation areas. Jack then went on to identify the “transit staff” within DOT, as well as the different types of funding they manage relating to the provision of public transportation services including their purposes and match requirements. Jack provided a breakdown of the numbers of rural transit providers, intercity providers, MPOs, specialized providers and the Cities of Rapid City and Sioux Falls. Next Jack shared information on the inventory of vehicles, facilities and equipment funded by these funds. He also shared 2016 statistics on miles traveled and ridership, including types of rides e.g., medical, employment, nutrition, education.

The final portion of the presentation focused on a definition of “coordination” and efforts being taken to promote coordination in the provision of these services, as well as challenges faced when attempting to coordinate services. Jack also shared a print map showing the various transit providers and their respective service areas, and he explained that it is an interactive map available via the internet. Some questions that followed resulted in the following: Transit services are run by independent providers. They have a board of directors, and these providers decided how the service will operate e.g., door to door or curb to curb, five days a week, seven days a week or some other schedule, the hours of service and fare rates. These board meetings are public meetings, so people can participate in them, as well as consider serving on them, if they’d like to impact the services in their community. There was also conversation about how the SILC, CILs and others might be better linked into opportunities to provide comment into coordination plans that are completed regularly. Consensus was that if Jack can provide information on these opportunities to SILC Staff, they in turn will be sure to circulate it to SILC members and CILs. Jack agreed that this was a workable approach. There was limited conversation about “specialized transportation” and how it serves some needs that “public transportation services” are not able to meet. Craig thanked Jack and Lisa for coming and providing this information.

WORKGROUP UPDATES: CONSUMER SERVICES – Bernie reported that this group has not met recently, partially because its membership is down to two members, and they also want to add someone from each CIL. Staff indicated that it might be appropriate to wait until new appointments are made so all the workgroups can be reconfigured with new and current members. PUBLIC AWARENESS/OUTREACH – Sandy reported that this group has been meeting to develop a new SILC pamphlet/brochure. They are close to having something for the SILC to consider, and once they are at that point, it will be shared with the full SILC for their consideration and input. She then reported on the outcome of the “Champions of Independent Living Awards” process. Only two nominations were received, and both originated from one CIL. The workgroup members were not able to arrive at consensus on choosing one recipient. Sandy proceeded to read both nominations to the SILC. **MOTION TO AWARD THE CHAMPIONS OF INDEPENDENT LIVING AWARD TO DALE KLEIN AND SARAH SHOFFNER – MSC.** The workgroup will be re-evaluating this process in an effort to make recommendations that will increase the number of nominations received e.g., broaden who is invited to submit nominations. ADVOCACY/INTERAGENCY

COLLABORATION – This workgroup hasn't really gotten up and running. Its current membership is Tasha, Sarah and Chuck. No one had been identified as the lead contact. Shelly asked if Chuck would be willing to take on that role, and he agreed to do so. ASSISTIVE TECHNOLOGY/HOME MODIFICATIONS ASSISTIVE DEVICES – This workgroup hasn't met partially because no one could remember who had self-identified as the lead contact for it. Consensus was that Dave would be the lead contact and/or Dave and Steve would be co-leads.

OTHER BUSINESS: Bernie brought up the possibility of using unspent training funds in future years to support individual CILs in having their staff participate in training activities that meet their specific CIL's needs. Consensus was that this would be an approach to any funds not spent in support of the annual SILC sponsored CIL Staff Training event. Lyle Cook shared that the Cheyenne River Vocational Rehabilitation Program will be hosting an event similar to TSLP's "Catch the Wave" on September 20th. He also shared that they will also be hosting their annual Disability Awareness Event prior to Labor Day weekend, possibly on August 30th. He will provide details to the SILC once they are available.

CLOSING ACTIONS: RECOGNITION OF OUTGOING MEMBERS – Shelly unveiled the "thank you" gift she had selected for outgoing members – a wooden desk clock with a message of gratitude on it. Consensus was that this was a good choice. They were ordered for Dave Miller, Isabel Trobaugh and Monte Tschetter (which will be sent to his family). Staff will work with the Chair to send these out with an appropriate letter. FUTURE AGENDA ITEMS – Staff suggested a presentation on the recent Youth Leadership Forum, and Bernie suggested hearing from WRIL and ILC on their Pre-Employment Transition sessions this summer. SCHEDULING OF NEXT MEETING – It was agreed that staff will attempt to schedule the next meeting for September 19th in Pierre/Ft. Pierre.

ADJOURNMENT – Hearing no other business, Craig thanked all for participating.

MOTION TO ADJOURN – MSC. Meeting adjourned at approximately 2 pm.