

STATEWIDE INDEPENDENT LIVING COUNCIL

June 3, 2021

Meeting Held Via Zoom

MEMBERS PRESENT: Steve Stewart, Mark Koterwski, CJ Moit, Roger Bowie, Patty Kuglitsch, Ronda Williams, Mark Sternhagen, Eric Weiss, Alan Adel, Catherine Greseth, Tasha Jones, Ben Wolf Necklace, and Syndee Jundt. **MEMBERS ABSENT:** Kyrsten Zimmerman. Jen Red Bear, Director has resigned from Western Resources for Independent Living (WRIL). **OTHERS PRESENT:** Matt Cain, Jennifer Lewis, Bernie Grimme, Denise Reed, Megan Gould, and Colette Wagoner. Interpreters were Julie Paluch and Rick Norris.

HOUSEKEEPING ITEMS: Prior to the start of the meeting housekeeping items were reviewed: use/location of microphone and the camera icons. Members were encouraged to take needed breaks during the meeting. Everyone was asked to identify themselves by name when speaking as interpreters were being utilized. For voting purposes, each vote will be taken by roll call.

OPENING ACTIONS: WELCOME AND INTRODUCTIONS: Alan Adel, Chairperson called the meeting to order at 9:02 AM. He referenced the most current agenda, disseminated to members on May 27th. Alan welcomed everyone and asked him or her to introduce themselves. APPROVAL OF AGENDA: Alan asked if there were any changes or additions to the agenda, there were no changes, **MOTION TO APPROVE THE AGENDA, MADE (M), SECONDED (S) AND CARRIED (C).** YEAS – Mark S, Mark K, CJ, Catherine, Roger, Ben, Syndee, Patty, and Steve. NAYS - None. APPROVAL OF MEETING MINUTES – Alan asked for any changes or additions to the draft March 9th meeting minutes, there were none. **MOTION TO APPROVE THE MARCH 9 MEETING MINUTES AS DISSEMINATED, MSC.** YEAS – Mark S, Mark K, CJ, Catherine, Roger, Ben, Syndee, Patty, and Steve. NAYS - None. Alan asked for changes or additions to the SILC's executive committee meeting minutes. **MOTION TO APPROVE THE EXECUTIVE COMMITTEE'S MEETING MINUTES FROM MAY 17, MSC.** YEAS – Mark S, Mark K, CJ, Catherine, Roger, Ben, Syndee, Patty, and Steve. NAYS - None.

PUBLIC COMMENT: Alan invited public comments, hearing none, he moved on.

ANNOUNCEMENTS: Alan asked to step out of role as Chair and turned the meeting over to Mark K as Vice Chairperson. Alan identified himself as a Western Resources for Independent Living (WRIL) board member and informed members of Jen Red Bear's (Center Director) resignation. This impacts the SILC as she served in her capacity as a center director. Alan stated this information is very new and he had no other information to offer, he encouraged members to email him or call WRIL with

future questions. Division staff asked where to send communication and the response was to include Codi Erickson (WRIL Finance Director) and Alan as WRIL board chairperson. Alan stated that WRIL's board of directors along with staff are in discussions involving the agency's course of action. Information will be shared with the SILC as they identify steps of moving forward. There were no other questions or comments at this time for Alan regarding WRIL. Mark K turned the meeting over to Alan to Chair the meeting. Patty announced the South Dakota Association of the Deaf is hosting its Biennial Conference in Sioux Falls at the Holiday Inn City Centre on July 9th – 11th. Information can be found at: <https://www.sdad.org/2020-sdad-conference>.

EXECUTIVE SESSION: Alan asked if there was a need to hold an executive session. This is a standing agenda item. The agenda includes a note that if there is a need for closed discussion to address any matter(s) that is sensitive/private or confidential the agenda provides time to do so. Hearing no need, he moved the agenda.

OVERVIEW OF INDEPENDENT LIVING CHOICES (ILC): Matt was available for this item and introduced Denise Reed (ILC staff). He reminded members that a request was made during the last meeting for an overview of independent living services by the CILs. This is an overview of services provided by ILC. The main office is located in Sioux Falls with offices in Aberdeen, Brookings, Chamberlain, Huron, Martin, Mitchell, Mobridge, Watertown, and Yankton. ILC had a few staff changes as a result of strategic planning. Denise is now VP of IL services. Denise utilized a PowerPoint and spoke to the following details. ILC was established in 1982; a private nonprofit organization, formerly known as Prairie Freedom Center. She outlined the mission and agency tag line. The IL philosophy was reviewed in addition to the five core services. ILC has at least 35 peer support visitors (trained volunteers with various disabilities) and 15-20 active peer support groups (group or one on one). Community living services assists individuals in obtaining accessible/affordable housing, transportation, and other services, e.g., SNAP, weatherization, lifeline. Summer Transition Programs will be held for students with disabilities (ages 16 – 21), offering IL skills training, budgeting, cooking, self-advocacy, writing resuming and interviewing skills. Home Modifications & Adaptive Devices (HMAD) provides home modifications, assistive devices (lift chairs, reachers, canes, walkers, bed shakers) and vehicle modifications. HMAD requires participants to meet financial guidelines and has a \$10,000 lifetime limit/per participant. Funds to assist with ramps come from the state contract, United Way, Sioux Falls Community Development Foundation, and other fundraising efforts; Matt stated there are more requests for ramps than available funding. ILC provides assistance with installing ramps in rental properties as long as the landlord agrees to the modifications. Telecommunications Adaptive Devices (TAD) provides adapted telecommunication services (emergency dialers, picture phones, cordless phones, and IDevices), which requires financial eligibility. Information/technical assistance is provided on the Americans with Disabilities Act (ADA) to businesses, organizations,

and individuals. Assistive Daily Living Services (ADLS) Medicaid Waiver provides services for people 18 and over with physical disabilities affecting all four limbs, and other eligibility criteria. Services include personal attendant (PA) services to those with significant physical disabilities which offers an alternative living choice to a nursing facility. PA services can include assisting with routine bodily functions, dressing, meal prep and feeding, bathing/grooming, assist with medications and homemaker tasks (all services dependent upon the participant's needs). Case management services were reviewed. Participants manage and direct personal attendants. ADLS is provided throughout South Dakota with the majority of participants in Sioux Falls. In-Home Nursing services were described and provided by a nurse i.e., physical assessment, dressing changes on infected areas. Matt noted the difficulty of identifying individuals to work as personal attendants especially in very rural areas. ILC can purchase incontinence supplies and can provide respite care for the parent/guardian or other immediate caregiver for needed break/absence. Vehicle modifications can include adaptations or alterations to an automobile or van to accommodate the specific needs of the participant. Specialized Medical and Adaptive Equipment Services (SMAES) includes devices, controls or appliances that enable the participant to increase their ability to perform activities of daily living. Environmental Accessibility Adaptations are adaptations to the participants' residence to allow greater independence, i.e., ramps, grab bars, widening of doorways. ILC provides services in 50 counties and on the nine tribal nations; serving approximately 2000 – 2,400 consumers annually. It was noted that as a Center for Independent Living the Money Follows the Person (nursing home transitions) ADLS, TAD, HMAAD and the summer transition programs offered are in addition to the provision of IL core services. Eric noted that under the ADLS program, Division staff provides the mandated case management oversight. A question was asked if there are tax credits that a landlord can utilize for making modifications or adaptations similar to what is available to businesses under the ADA. Matt responded that he thought there is language that applies to landlords that have a complex of four or more living units. Another question was asked about the percentage of requested services that are denied; Matt responded that it is very rare to deny a service, estimating that it must be less than 1%. If HMAAD services are denied, it is typically due to the participant not meeting financial guidelines.

BREAK

OVERVIEW OF CSD SERVICES: Mark Koterwski introduced Katie Peterson and Lance Sigdestad, CSD staff. Katie stated CSD (formerly known as Communication Services for the Deaf) was started in 1975 in response to overwhelming needs of local deaf and hard of hearing people. She described the following services: community support services, equipment distribution (amplified phones, iPhones/iPad, cell phone amplifiers), internet subsidy (funding for internet broadband that supports communication/\$30 a month), captioned telephones, American Sign Language (ASL)

classes (small group; one-on-one instruction) and work with South Dakota Relay to market services. Community support can include communication assistance, life skills, technology training, advocacy, and etiquette training. SD Relay provides standard TTY, speech to speech, hearing carryover and relay conference captioning. Hearing carryover/individual cannot speak but can hear/individual types message to operator who speaks/repeats for the individual; speech to speech/operator trained to listen to individual and relay what they are saying, relay conference captioning is a newer service/a meeting is captioned and allows the individual to read the captioning at the bottom of a screen i.e., Zoom meetings. FY 2020 Statewide Statistics included 3,147 equipment consumers, 221 community support clients, 84 subsidy recipients, and 11 individuals assisted in employment type settings/work with VR with job coaching/follow along services. A question was asked about the number of consumers (3,147) who received equipment and her response included the impact of COVID i.e., couples/individuals separated from family (i.e., placement into nursing home/long term care) and need for equipment for family members to support communication needs. Patty noted her previous employment with CSD and commended them for their years of service and what she has seen throughout the years. She emphasized positive changes and what has become available to individuals in terms of services, supports and equipment. Patty thanked the Division for the financial support to continue these valuable services. Individuals who utilize the equipment distribution is predominately those who are losing their hearing, to include the aging population. Services are provided to individuals of all ages. CSD is now working to create a deaf mentoring program (family to family).

Lance talked about the Summer Transition Program. A camp was started 3 years ago in the Northeast area of the state with high school students with hearing loss. This past summer the camp was cancelled because of COVID, but CSD staff worked with youth through the use of Zoom. CSD partners with the Sertoma Camp in Northern Minnesota which serves youth. CSD serves 5 states in the region serving students in 2nd grade through the 8th grade to provide an earlier foundation for youth. CSD is working with Augustana University to host summer camps (location unknown at this time) recognizing the importance of youth who are deaf/hard of hearing and the need to connect with others with similar disabilities, work on self-identity, self-empowerment, and advocacy. South Dakota no longer has the School for the Deaf, an environment that promoted socialization and networking for youth. CSD received a grant to reach out to the most rural areas to identify deaf and hard of hearing children and provide resources to families/youth and educate/connect them regarding available services and information. Relay Conference Captioning (RCC) has been wonderful for youth who are deaf/hard of hearing to connect with others (i.e., interpreters not available after school hours/weekends) which allows youth access and the ability to participate in other activities. CSD wants to empower youth with information to assist with decision making, to increase knowledge about independent living and vocational rehabilitation

services. CSD is working with Bridging South Dakota which focuses on domestic violence and sexual assault, working with staff to recognize the need for communication access for individuals who are deaf/hearing impaired; in addition to working with medial/law enforcement staff regarding the needs of individuals with various disabilities. Training involves accessible services/communication access and healthy relationships. Eric noted that VR is providing financial support to increase outreach to youth in support of transition services. Again, it was noted that the camps are key for youth who are deaf/hard of hearing in obtaining successful outcomes through establishing a strong self-identification at an early age.

(Agenda items switched; allowing time for the next speaker to connect to Zoom)

BOARD OF VOCATIONAL REHABILITATION (BVR): Eric explained this is a reoccurring agenda item and that the BVR has a standing agenda item for a SILC update. The BVR is an advisory unit to the Division for vocational rehabilitation services. The BVR has been hosting its quarterly meetings via Zoom similar to the SILC. A few agenda items from the March meeting included a report on the Post-Secondary Outcomes/Indicator 14 Survey Results from the Department of Education/Office of Special Education and the contracted agency – Black Hills State University/ Dr. Faye LaDuke Pelster. There was an update on VR Program Initiatives, an overview of the Business Resource Network and Workforce Diversity Network of the Black Hills along with activities coordinated with the Division’s Business Specialist. A virtual tour of the Brookings VR office and introduction of staff was provided. The BVR will meet again on June 29th and the agenda will include an update on the SD Benefits Network, overview of Department of Labor and Regulation services and the results of the VR annual case file review. More information about the BVR and the SILC can be found on the Boards/Commissions’ website: <https://boardsandcommissions.sd.gov/>.

Steve interjected at this point and offered information that he located regarding modifications to an individuals’ home noting that there are tax breaks/medical deductions for home modifications (he referenced the IRS publication 502).

OVERVIEW OF RAPID TRANSIT SYSTEM: Alan introduced Megan Gould as the Director of Rapid Transit System. Megan spoke to the three different services available in Rapid City. 1) Fixed route/Rapid Ride which has designated bus stops throughout Rapid City, 6 routes; 35-minute frequencies which switches direction every other route. This is only available within city limits, operates Monday – Friday 6:00 am until 6:00 pm, and on Saturdays 10:00 am until 5:00 pm. Rides are \$1.50/fair for adults and .75/ride for those who are a Medicare card holder. An individual can purchase a monthly pass for \$30 and youth under the age of 18 ride free. This was implemented several years ago to assist with increasing school attendance for youth.

2) Dial a ride/paratransit provides curb to curb/door to door service within city limits. To be eligible for this service a person must meet the ADA definition of disability and have a medical care professional sign a form. Individuals who receive services through Black Hills Works utilize this service, which is Rapid Transit Systems largest clientele. It is \$3.00/ride one way, or you can purchase a 10-punch card for \$27.00 (there is a Zone 2 Fair if place of pickup/drop off is outside the city limits for .50 addition/\$31.50 for a 10-punch card). It operates Monday – Friday from 6:00 am to 5:30 pm and on Saturdays from 8:30 am to 5:30 pm. All rides must be scheduled the day before by 3:30 pm, no same day appointments.

3) City View Trolley operates June 1st through the end of August (was not available last summer due to COVID). It operates Monday through Friday, 10:00 am until the last ride offered at 4:00 pm. Rides are \$2.00/adult; \$1.00/children 12 and under and Medicare card holders. This ride provides a narrative tour of the city to include the Berlin wall, journey museum, storybook island, other parks. Any rider can get off and get back on the ride the same day and the one-time fair is good for the entire day. In response to a question, it was highlighted that the entire Rapid City fleet is accessible. If members have questions, they can contact Megan or find information at: <http://www.rapidride.org/>.

BREAK FOR LUNCH

STATE PLAN FOR INDEPENDENT LIVING (SPIL) – STANDING AGENDA ITEM:
SPIL GOALS/OBJECTIVES & INDICATORS: Alan deferred to Colette, SILC staff, on this item. Staff displayed the State Plan monitoring tool and identified the goals and objectives. Descriptors were provided to include committee assignments, necessary activities, work accomplished and the findings (what was learned). Staff explained this tool will be utilized to gather and document work/progress made in support of accomplishing the goals laid out in the SPIL. Examples of work activities completed to date were incorporated on the tool. This information will be utilized to complete the Program Performance Report (formerly known as the 704 Report). This tool will keep record of what has taken place over the course of the three-year SPIL. Staff referred to several items within the document highlighted in red. These items have been incorporated since the March meeting and reflect work that has been done since that time. As SPIL signatories, the IL Network partners are responsible for work in accomplishing the goals and objectives. This item will remain a standing agenda item to continue discussion on a quarterly basis.

Staff shared the ‘SILC Member/Staff SPIL Activities Reporting Form’ and noted the form was disseminated a few weeks ago. This tool was created by the SPIL workgroup as a means of gathering information from any of the IL partners on work completed/activities conducted in terms of SPIL goals and objectives. The CILs report

information is obtained through the quarterly reports. Members were encouraged to complete and submit this form to staff on a quarterly basis, staff will disseminate it as a reminder.

Staff highlighted another area falling under the SILC's State Plan that includes the SILC Individual Training Plan Form. Staff described language in the State Plan which calls for assurances and indicators that the SILC must do to meet minimal compliance. The assurance reads 'SILC maintains individual training plans for members that adhere to the SILC Training and Technical Assistance Centers SILC Training Curriculum'. The SPIL workgroup created this tool which was accepted by the SILC at the December meeting. Staff has received five completed forms from members. SILC members are being asked to review the training topics or areas where they feel they want to learn more/gain a better understanding that would benefit them in their role as a SILC member. Members were encouraged to make suggestions for training topics/areas and submit to staff. Information obtained from the training plans could lead to a future SILC meeting agenda item.

Catherine stated she used to work with hospital discharge planners and information about IL services is very important in the process of determining what an individual will need to return home and remain as independent as possible. She could incorporate information about the CILs in future meetings as well to increase awareness of services. Steve commented that under the goal of increasing awareness of IL services and the objective of conducting advertisement campaigns – that an idea of placing ads in transit vehicles would be a great place for many individuals who might benefit from IL services.

BREAK FOR LUNCH:

DIVISION OF REHABILITATION SERVICES REPORT/CILS QUARTERLY

REPORTS: Jennifer Lewis spoke to the information shared with members prior to the meeting. The Consumer Satisfaction Survey Summary shows ILC had a response rate of 23.24% and WRIL had a 26.32% return rate, an overall total of 24% responses. Jennifer spoke to the contract review recently conducted and the response rate difference was identified. Discussions with ILC staff resulted in the discovery that ILC was not sending a satisfaction survey to all consumers, this item will be discussed later in the meeting. (This has been corrected and all ILC consumers now receive the survey). Written comments received through the satisfaction survey indicate the majority of responses are positive – i.e., IL specialists providing good services, happy with services/assistance provided. She spoke to comments received under the area of what to improve, and comments from participants of 'nothing'; a few comments about inability to obtain services during COVID/lack of staff.

The “Status of the CIL Contracts” is a one-page document which reflects the status of the CIL contracts as of 11 months into the contract year. The report reflects that ILC has provided almost 94.19% of its service units and is expected to overspend their contract by 1,678 units. WRIL has provided 64.69% of its service units and is projected to underspend its contract by about \$5,730 units. The contract service rate will increase for the next contract year cycle starting June 1st.

Next, Jennifer referenced the Independent Living Fund Sources document; a one-page document showing the sources and levels of various funding for each CIL to include Part C (federal funds received by each CIL directly from ACL) and Part B funds (funds the CILs receive thru a contract with the Division). For the new contract year, both CILs agreed to provide the Home Modifications and Assistive Devices (HMAD) set aside funds which allow the center to provide support for ramps, grab bars, bathroom remodels. It was explained that each CIL can elect to utilize up to 15% of their Part C and State funds to go towards HMAD purchases. A CIL can utilize other funds to support HMAD purchases. A question was asked about the HMAD lifetime limit per participant (\$10,000/per participant/stipulated in the State Plan). Matt explained that ILC has an internal policy that if a participant requests an item that costs over \$1,000, they will go on a wait list. A question was asked about WRIL’s policy and Alan responded that each participant’s request is reviewed and more involved projects are reviewed with Division staff. Bernie interjected that the State Plan was changed and now allows up to \$10,000 expenditure as an allowable limit for a HMAD request.

CIL quarterly reports: Jennifer compared the figures from this report to the same time period last year; ILC’s figures show that the number of hours of service are up (annually/500 hours), and the numbers of participants served are down. Correlates with COVID/taking more time to serve a participant. ILC has provided HMAD to 251 participants and assistive devices to 123 participants. The quarterly report now asks about number of new applicants, and number of new applicants under the age of 25. She reviewed activities that ILC has been involved with this quarter. And in response to a question, Matt reported that ILC will report on how the participant learned of services in the next quarterly report.

WRIL’s quarterly report when compared to the same time period last year shows that hours of service are down about 300 hours (quarterly) and the number of participants served is down approximately 170. The annual number of service units is down around 1,000 hours and people served is 300 less. Numbers should change once WRIL fills the IL specialists’ vacancies. WRIL did provide HMAD to twelve individuals as well as 66 participants receiving assistive devices. WRIL reported on the number of new applicants for this time period as well as those who are younger than 25. WRIL focus for activities is in the Spearfish and Rapid City areas, as Pierre has no staff present.

Jennifer met with Codi/WRIL financial officer in person last week. They reviewed reports, need for information and submission times. Jennifer stated it was a good meeting and feels that WRIL is really working to turn things around. Alan responded that WRIL board of directors are meeting, there is a lot of information to decipher, and they are continuing discussions of how to improve the delivery of services.

CIL UPDATE: ILC (SOUTH, NORTH, NATIVE AMERICAN ILC): Matt spoke to changes in staffing structure as a result of their strategic planning. ILC no longer has a COO position as this was restructured into 2 positions (VP Finance Director and VP of IL Services & Programs). There are two program directors (Carol Rockwell and Jenny Hallan). Staff locations include: 6 IL specialists in the Sioux Falls office along with the VP of Services (Denise Reed) and 1 program director (Carol Rockwell) and the VP of Finance (Ryan Thompson). Brookings/1 IL specialist with 1 program director/Jenny Hallan; Chamberlain/Yankton/Huron/Aberdeen have 1 IL specialist; Martin/Mobridge/Mitchell and Watertown have 2 IL specialists.

ILC Summer Transition Program (students with disabilities ages 14-21) classes will start soon and held in person in communities of Huron, Eagle Butte, Mitchell, Mobridge, Watertown, Aberdeen, and Sioux Falls. Offices that are not hosting a transition camp will send staff to assist with another community with the hope of offering a camp next summer in their location. Classes will offer IL skills training, cooking, budgeting, safety, and employment related activities as well as exposure to available services/providers. ILC operates under the federal fiscal year October 1st thru the end of September. To date, ILC has served approximately 1,925 participants, with one more quarter to report. During this time period, ILC has installed 27 accessible ramps; moved 11 individuals out of an institution with 11 more in transition.

State Review consisted of the IL and ADLS programs. The consumer satisfaction survey was discussed earlier in the meeting and will be addressed more with the next item.

IL Service Provision & Coverage Area: Matt noted this next discussion item is difficult and uncomfortable. He referenced the number one priority being the provision of services for a CIL and for the SILC. ILC has experienced a substantial increase in requests for services from individuals living in counties outside of their coverage. He tried to relay these concerns to WRIL's director, however at times there was no follow up or response. He realizes that WRIL is taking steps to change, however, this is having an impact on services, staffing and ILC's reputation. Increased requests have been coming predominantly from Spearfish, Rapid City, Box Elder and Pierre. Individuals have communicated to ILC that WRIL staff were not calling them back, or other responses included WRIL had no staff available, no money for services, or that WRIL did not provide IL skills training. He feels this is causing a backlash and there is

a lot of confusion among potential participants; people are becoming disgruntled. Matt stated he supports equitable services across the state and feels that if ILC provides services in areas not covered, this takes funds away from consumers living in ILC's territory. He is questioning whether ILC should provide services outside of their coverage area. If they continue, ILC should receive more funds to support these needs.

A lengthy discussion continued with specific comments: could the two centers merge creating one statewide center for independent living; could ILC take over management temporarily; is there a need to review policies; each center is a 501(c) 3 nonprofit organization; each has a board of directors; can Part C funding be transferred; a change would require a State Plan amendment. Eric noted that there is a process to uphold of the SILC making a request of ACL to amend the State Plan prior to moving forward with a merge. Mark K made a **MOTION TO ESTABLISH A TASK FORCE TO LOOK AT OPTIONS OR PROCESSES TO RESOLVE ISSUES TO MOVE FORWARD; MOTION SECONDED**, by Patty. There was continued discussion.

Jennifer noted WRIL is working on an action plan and the Division will continue to provide follow up on the corrective action plan to ensure quality assurances with the provision of services. If WRIL continues and follows through with the corrective action plan the issues would resolve themselves. Division staff is working with WRIL staff and their board members and believes changes are being made. The Division has now received the necessary documentation on all areas of the corrective action plan. The Division agreed to provide the SILC follow up information or reports regarding the work made towards in implementing the action plan corrective items. At this point, Mark K agreed to withdraw his motion if Patty agreed as well, since she seconded it. Patty was comfortable with withdrawing, **MOTION WITHDRAWN**. Alan asked to step down as chair and speak as a WRIL board member; Mark K agreed to Chair. Alan reiterated that the last year has been very difficult and the board is now learning of issues. WRIL board members have more questions and are working towards the goal of turning things around. WRIL staff is traveling to Pierre and meeting with Division staff. He realizes that WRIL has a terrible reputation and things need to get better. He is hoping the IL partners will give WRIL a chance and opportunity to turn things around. Mark K asked if there were any questions for Alan at this point. Jennifer asked if there is a need to have the SILC meet in a month to review this item. A member asked for a temporary plan or resolution or task force to look at things. Alan noted he is comfortable with sharing information with the SILC regarding the work WRIL does to implement corrective steps but did not know if there other restrictions of sharing this information. Bernie interjected that he is providing a report soon on the follow up on the review. Roger noted that if the state is involved and working with WRIL to correct items, is there a need for anything else? He also commented that ILC should not take on any more applicants/referrals from outside of their coverage area. Matt thanked Roger for his comment and suggestion. There was consensus that ILC not accept any

referrals outside of ILC's territory. A question was asked if an individual applies for WRIL services, will they be served (if eligible) and the response provided was that if WRIL receives an Information and Referral (I & R) staff should follow-up with the individual within 5 working days. Mark S commented that sharing of information with the SILC should be appropriate and asked whether the SILC consider the original motion of creating a committee to look at this issue since WRIL is on a 6-month contract. It was noted that the SILC should not get into the daily operations of a CIL; however, if services are not being provided this needs to be addressed. Jennifer stated that the Division is receiving positive responses from individuals needing services and follow through is being made by WRIL. Jennifer explained the state contract has the Part B funds and these do not have to go to WRIL and could be redirected if need be. Patty encouraged the Division to continue working closely with WRIL and keep the SILC informed of the process, and suggested if issues arise, then a special meeting can be called. Eric stated he appreciated the discussion and given the situation with WRIL's board only recently receiving the information; to provide them a chance to meet/discuss and make decisions and the board can also communicate this to the SILC as well. Alan reiterated that WRIL wants to serve individuals in western/central part of the state and will work with the state during the six-month contract to improve outcomes. Roger reiterated that ILC should stop serving individuals outside of their territory. Eric noted that the SILC should not 'manage services' and it should be Matt's decision as the director of ILC whether services be provided. Matt agreed that ILC will no longer serve/work with referrals from outside their territory and referrals will be referred back to WRIL and if the consumer contacts ILC again, this will be reported to the Division. A question was asked about the Memorandum of Understanding where a participant can apply for services from another CIL, however the receiving CIL can decline services, and this would be documented/reported. A question was asked of Alan and WRIL regarding structure, and he responded that consideration is being given to having an interim director assigned prior to hiring an individual as well as hiring to fill the IL specialist vacancies. It was noted that WRIL has a lot of work in front of them and members wished them luck with the process. Mark K turned the meeting back to Alan, as Chair.

INDEPENDENT LIVING SERVICES – CONSUMER SATISFACTION SURVEY: Matt asked to have this item on the agenda as a follow up to the annual review. Again, the CILs are to disseminate surveys to all closed cases (those whose goals have been met and those whose goals not met). He asked if there is a need to reevaluate this as they have individuals who have requested that it not be sent to them. Plus, ILC staff were not sending the survey to those with dementia/Alzheimer's or to those who have passed away. Discussion of validity of the instrument and the need for parameters; or disseminate the survey to a random sample. In response to a comment about consumers/family members calling and asking why are they receiving it, the suggestion to inform the caller that this a requirement and any case closed will generate the

survey. There was consensus to keep the process the same, all closed cases will prompt the dissemination of a survey. A question was asked of when the IL specialist has the conversation/meeting with the person to wrap up/close the case, hand them a survey at this time. Jennifer reported that the survey includes a response on it of “no response” and if the survey is returned unanswered, this could be checked. Mark S stated that a 25% return is a great return rate. Patty asked if there could be an incentive for completing and returning it (i.e., \$5.00 gift card) or the appropriateness of this. Mark S indicated that a 25% return rate is a strong return rate, and he was comfortable with this.

CIL FY 21 ONSITE REVIEW/FOLLOW UP: Bernie provided an update on WRIL’s review conducted by the Division last September. He explained that the Division is the Designated State Entity/DSE and is responsible for the Part B funds. The Division contracts with the CILs for these funds which requires a review/monitoring of eligibility decisions, level of services, and ensuring the CILs are following state and federal regulations. The Division looked at IL case files, billings, and the consumer satisfaction survey information. Prior to the review, the Division received copies of the CIL’s organizational chart, most recent audit, timesheets, program income, policies/conflict of interest, IL specialist trainings, listing of CIL board members, and a sample of satisfaction surveys.

The September 2020 review identified several significant problems with WRIL which then required an additional targeted review which resulted in corrective actions. The targeted review consisted of pulling twenty case files from one of WRIL’s offices. This review identified issues with casework areas and internal quality controls not put into place.

ILC’s review was conducted remotely the week of March 29 – April 2nd. Total of 172 IL cases were reviewed out of 1,400. No significant findings were identified. Two corrective action items were noted i.e., 84 units were overbilled; the dollars were subtracted from their following billing. ILC has now set up procedures to catch these billing mistakes. The second item was the number of returned satisfaction surveys, which ILC will now move and send a survey to all closed cases.

WRIL’s review was conducted the week of May 8th. A total of 134 cases were reviewed out of 418 cases. The final report was not issued as the Division was waiting for information to finalize it. He addressed that a majority of the work was completed by 2 IL specialists who do great work. The majority of issues were identified in the Pierre office. WRIL staff assist a lot of people with applying for Social Security benefits, which is appropriate. The main findings included: people unable to access services i.e., HMAD, and people not getting responses from WRIL. The staff vacancies have

complicated matters. Bernie noted that perhaps it is time for the SILC to review or better define who is a person with a significant disability.

Bernie spoke to the Targeted Case Review and the two identified corrective actions. 1) maintaining internal quality control is required as a subrecipient of grant funds. Again, Jennifer has been meeting with WRIL staff and procedures are being implemented, this is not reflected in the Division's report at this point; and monthly in-service training documentation for staff needs to be reported to the Division. Additional case work oversight was needed as well as case work documentation, there was no response from WRIL as of the end of April; however, the Division received responses this past week. 2) WRIL needed to provide a certain number of IL service units as outlined in the contract (estimated that WRIL would underspend their contract by \$105,000). These were funds that could have been spent on HMAID; the Division requested a list of participants on the waiting list, which it did not receive. Staff vacancies impacted the under expenditures and WRIL was requested to post all vacancies with DOLR and online by April 1st. WRIL was to report any applicants/interviews by the end of each month. The Division sent correspondence to the CIL director and the board members on May 20th noting the corrective actions and that it was out of compliance. Bernie shared numbers for the two CILs for cases with signed waivers, percent of participants receiving HMAID services, TAD services, and average length of case application to closure. The new contracts run June 1, 2021, through May 30, 2022. All contracts are reviewed with a risk assessment status and WRIL's contract was identified as a high-level risk and as such the contract was issued for only 6 months. In November, the Division will conduct another review to determine the continuation of a contract. There were no questions for Bernie at this time.

DIVISION OF SERVICE TO THE BLIND AND VISUALLY IMPAIRED (DSBVI)

REPORT: Ronda reported the Division is doing more outreach since April; staff are working with individuals in their homes on skills of blindness. Case numbers have been low, so it is very important for staff to be out in the communities and providing one on one services. DSBVI is fully staffed with IL rehabilitation teachers and vocational rehabilitation counselors; however, the Division is still recruiting for the orientation and mobility specialist position at the Rehabilitation Center for the Blind. CCTV lease and loan program (an electronic video magnifier) had a total of 217 units in the program, and recently received 25 new units. Older units are being phased out with the option for consumers to purchase the older unit utilized in their home. More students are attending the classes in person at the Rehabilitation Center for the Blind utilizing COVID safety protocols. There are 11 clients participating in the employment skills training program. The World of Work class has been conducted virtually since COVID with the number of participants growing, as participants do not have to travel to Sioux Falls to participate. A new class will start on June 7th with 8 individuals signed up. Ron Gehrts, employment specialist, with the Rehabilitation Center for the Blind will be

retiring in June, Autumn Peitz (?) will fill this position. Transition Week will be held at the Rehabilitation Center June 13-17th in Sioux Falls with nine high school students from across the state. They will stay in dorm rooms at Augustana University. The Division is hosting an all-staff training on August 10/11 in Aberdeen at the School for the Blind and Visually Impaired.

BOARD OF SBVI UPDATE: Catherine reported that B/SBVI met on March 19th and will meet again on June 11th. The solicitation for the Governor's Awards nominations were due May 3rd. National Disability Employment Awareness Month will be held in October and twelve communities were awarded funds to support activities during this month. B/SBVI members serve on the NDEAM review committee as well as the Governor's Review Committee. B/SBVI provides financial support to the NDEAM committees in addition to the SILC and BVR. Ray Tracy, SBVI staff, reported that the Randolph Shepard Relief and Restoration Act was passed by congress in December which will disperse \$20,000,000 for one-time financial relief/restoration grants to support the business enterprise program (individuals who are blind or visually impaired operate vending facilities in federal buildings, i.e., candy/pop machines, coffee shops). She reported that there are several SBVI members who have terms that expire in June, and no word has been received about appointments. Steve shared with members that he had a granddaughter who graduated in May from the School for the Blind and Visually Impaired and he attended the event. Noting it was a very nice ceremony and they were able to tour the facilities.

STAFF REPORT: SILC Program Performance Report, PPR, (formerly known as the 704 report). Staff reported that the data submission platform/web portal is still not available, once the Administration on Community Living has it running the SILC's information will be uploaded. BVR/SILC Nomination Process: Staff reported that six members' terms expire the end of June of which five were interested in serving a second term and one member unable to do so. Once information was learned of Jen Red Bear's resignation, staff contacted the SILC Chairperson to discuss the composition requirements of having at least one CIL director serving on the SILC. Staff visited with Matt Cain about completing/submitting a nomination form, as he is the only CIL director at this time. Matt agreed to submit a nomination, and this was forwarded to the Division/Department in order to forward to the Governor's office for consideration and action as the previous nomination information had already been routed. National Disability Employment Awareness Month (NDEAM): Staff reported the 12 communities are proceeding with plans to host NDEAM events. Some communities will have speakers and conduct face to face meetings, others will continue with hosting speakers via virtual platforms. Staff will work with the local community planners on needed speaker contracts. The 2021 NDEAM theme is "America's Recovery: Powered by Inclusion". Information can be located on the Department of Labor/Office of Disability Employment Policy's website in addition to ordering this year's poster:

<https://www.dol.gov/agencies/odep/initiatives/ndeam>. Governor's Awards Nominations: Nominations were due May 3rd with a total of 36 nominations received. There is a Governor's Review Committee, comprised of BVR/SILC/SBVI members who met earlier this week to review the nominations. The committee's recommendations are routed through the Division/Department onto the Governor's office for final review and consideration. Once we hear from the Governor's office regarding her selections, the recipients will be notified. Following this, information will be disseminated to all nominators and those who wrote letters of support identifying the 2021 recipients. Plans will proceed with planning the awards ceremony. Budget update: A new budget was put in place effective 1 January 2021 through December 31, 2021. A budget report was disseminated prior to the meeting. The budget identified expenditures for the time period of January 1, 2021, thru the end of April. To date there have been no expenditures. Staff anticipates future expenditures to support SILC member's expenses to attend the 2021 Fall Conference and CIL staff who attend (CIL Staff Training line item). Staff reported that three members have expressed an interest in attending the conference and hotel room reservations have been obtained for them. If other members are interested, please let staff know as soon as possible. Individual members and CIL staff will register for the Fall Conference and then Bernie will invoice SILC staff for registration costs for SILC members and CIL staff.

ELECTION OF OFFICERS: Alan handed this item over to Eric to speak on behalf of the executive committee. Eric explained that the Executive Committee was bringing forth a slate of nominations for four positions – Tasha and Mark S for Member–At-Large; Mark K for Vice Chairperson and Alan for Chairperson. Each member expressed interest in serving again, if elected. The process began with Eric calling for further nominations for SILC Chairperson, two times. Hearing none – **MOTION TO CEASE NOMINATIONS AND ELECT ALAN AS CHAIR – MSC.** YEAS – Mark S, Mark K, CJ, Catherine, Roger, Syndee, Patty and Steve. NAYS - None. Eric thanked Alan for his work as chairperson and his willingness to continue in this position. Eric then moved to calling for further nominations for Vice Chair, two times. Hearing none – **MOTION TO CEASE NOMINATIONS AND ELECT MARK K. AS VICE CHAIRPERSON – MSC.** YEAS – Mark S, Mark K, CJ, Catherine, Roger, Syndee, Patty and Steve. NAYS - None. Eric congratulated Mark K in his role and thanked him for his service. Next, Eric moved to calling for further nominations for Member-At-Large, two times. **MOTION TO CEASE NOMINATIONS AND ELECT TASHA AND MARK S. AS MEMBERS AT LARGE – MSC.** YEAS – Mark K, CJ, Catherine, Roger, Syndee, Patty and Steve. NAYS - None. Mark S abstained on voting on his own name and voted in favor of Tasha. Eric spoke to next year's election and noted that some members will term off the SILC and encouraged others to consider taking on a role as an officer.

HONORING OF OUTGOING MEMBERS: Eric recognized Kyrsten for her service and leadership and thanked her on behalf of the entire SILC. She will be presented with a piece of art from the Suzi Cappa Art Center in Rapid City. Alan thanked all the members for their service as they are a voice for individuals with disabilities.

OTHER BUSINESS: Staff reminded members that the solicitation for the Champion of Independent Living Award was disseminated earlier in May. Nominations are due June 25th. Information about the nominations was posted on BHSSC Facebook page along with a link to the nomination form and cover memo and several email blasts will be sent out in June as a reminder. Questions were raised about the next meeting and if it might coincide with honoring the Champion of IL recipient.

CLOSING ACTIONS: Scheduling of Next Meeting: Some members were in support of meeting via a hybrid meeting, especially if those meeting in person have had their COVID vaccination. Some members were willing to meet in person if it can be done safely. It was noted that the meeting must be accessible to all and that it works well. Staff was asked to disseminate a doodle poll closer to the meeting date to ascertain meeting options for the September meeting. Future Agenda Items: Alan encouraged members to contact staff with possible agenda items and/or speakers. Adjournment: The meeting was adjourned by the Chairperson at 3:15 pm.