



## Division of Rehabilitative Services

### Employment Service Organization Steering Committee (ESOSC)

Tuesday, July 9, 2024

10:30 a.m. – 2:00 p.m.

In-Person Meeting Location: 8004 Franklin Farms Drive Henrico, VA 23229

### Minutes

**Members Present:** Alan Hargraves, Joanne Aceto, Chris Lavach, Chuck McElroy, Shirley Lyons, Greta Harrison, Chris Martin, Shana Boutchyard, Stephanie Porter-Lopez, Jason Harper

**Members Absent:** Jim Fenerty (personal)

**Committee Vacancies:** 0

**DARS Staff Attending:** Kathy Hayfield, Anita Mundy, Dale Batten, Donna Bonessi, Charlotte Arbogast, Margie Millner, Dionca Coleman

#### **Full Committee Call to Order and Introductions**

***Jason Harper, Committee Chair***

Jason Harper called the meeting to order at 10:35 a.m. and welcomed members and guests.

#### **Approve Meeting Minutes from April 2, 2024, and Current Agenda**

***Jason Harper***

The Committee reviewed a draft of the meeting minutes dated April 2, 2024, and the agenda for today's meeting. A motion was made by Shirley Lyons and seconded by Joanne Aceto to accept the minutes as written. All present voted in favor to accept the minutes as written. A motion was made by Chris Martin and seconded by Shanna Boutchyard to add discussion on election of new Officers to the Agenda. All members present voted in favor to amend the agenda to add this discussion.

#### **Public Comment**

***Jason Harper***

The ESOSC offered three opportunities during the meeting for public comment. Public notice was posted prior to the meeting with the opportunity for the public to submit written comment via a variety of means by July 8, 2024. During public comment, Sharon Harrup, STEPS, voiced concern regarding the loss of institutional knowledge as it relates to the six appointees whose terms will end in June 2025. Ms. Harrup suggested that the Committee consider having its seasoned members mentor those newly elected members to pass down institutional knowledge of supported employment services.

## **FOIA Overview and Overview of Changes to Electronic Participation**

**& All-Virtual Meetings** *Charlotte Arbogast, Senior Policy Analyst/Regulatory Coordinator, DARS*

Charlotte Arbogast provided a FOIA Overview and reviewed changes as they pertain to electronic meeting participation and all-virtual meetings. Ms. Arbogast reviewed the fact that all e-mails and documents are subject to FOIA. Any e-mails or texts sent to DARS with three or more constituents included in the email is a meeting and is subject to FOIA. A handout was provided to all committee members for reference. The Committee will need to review this information and vote at the next scheduled meeting to accept the changes presented in regard to Electronic Participation and All-Virtual meetings. If the Committee votes to accept this policy, it will go into effect the date it was approved.

## **Update on Reappointments and Terms/Welcome New ESOSC Appointees**

*Anita Mundy,*

*DARS Staff to the Committee*

Anita Mundy reported that all vacant appointments have been filled and the Committee now has 11 active members. A handout was provided to all members outlining appointments and term dates. Ms. Mundy informed the Committee that six appointee's term dates will expire on June 30, 2025, due to having served the maximum two consecutive three-year terms allowed by the Code of Virginia. Ms. Mundy shared with the Committee that elections for officers must occur at the second meeting of the state fiscal year (October). Terms shall commence upon adjournment of the meeting in which the election was held. Ms. Mundy encouraged the members whose terms will be expiring to coordinate with their affiliated organizations to recommend individuals to fill vacant seats on the Committee.

The ESOSC new House of Representatives appointees are: Shanna Boutchyard, representing the Virginia Goodwill Network; Greta Harrison, Family Member representative; Chris Martin, representing vaACCSES.

Stephanie Porter-Lopez will represent the Virginia Goodwill Network, appointed by the Senate Rules Committee.

## **Status Update on Recommendations Previously Made by the Committee**

*Anita Mundy*

### **10/11/2022 Recommendation 7 (Approved/COMPLETED)**

The Committee recommends that stipends in the amount of \$2,500 each be paid to ESOs for each staff member who successfully completes the WISA training to compensate ESOs for lost revenue due to staff time away from billable activities and is contingent on the availability of funds. (Motion put forth by Chris Lavach and seconded by Shirley Lyons. All members present voted in favor. Motion carried).

**Update 07/09/2024-** Using projected balances for SFY24, DARS reimbursed organization whose staff successfully completed the WISA training through Cornell University. Final total number of ESO staff who earned a WISA credential is 26 out of a possible 48. Total reimbursement for SFY24 was \$65,000. This update will be removed from future updates to the Committee.

### **01/10/2023 Recommendation 1 (Approved/COMPLETED)**

The Committee recommends that DARS offer grants of up to \$50,000 per organization, up to \$1,000,000, to be used for capacity building for employment services personnel. The application process should be simple and justify how the funds will be used for capacity building. Outcomes will be reported at the end of 6 months. Additionally recommended that a second round of disbursements if funds are available. The first round to be paid out by April 30 and second round to be paid out by June

30, 2023, pending the availability of funds. (Recommendation made by Shirley Lyons, seconded by Jim Fenerty. All members present voted in favor of this recommendation-Lavach, Harper, Hargraves, Fenerty, Aceto, Lyons, Hoer, and McElroy.)

**Update 07/09/2024** – To date ten organizations have not submitted Spending Reports and will not be eligible for future special allocations, such as CARF cost reimbursement, until a spending report has been submitted. This update will be removed from future updates to the Committee. DARS staff will continue to monitor.

### **01/10/2023 Recommendation 2 (Approved/Ongoing)**

The Committee recommends that DARS create a service specifically for EES services to support activities for individuals transitioning from Group Supported Employment, center-based, or facility-based employment, into community-based employment. (Recommendation made by Stephanie Hoer, seconded by Jason Harper. Members in favor: Lavach, Harper, Hargraves, Fenerty, Aceto, Hoer, and McElroy. Lyons abstained.)

The Committee originally recommended that the E1200 service code be set up as an individual service code, with reimbursement at an hourly rate. The Committee recommended on 01/09/2024, that DARS expand the service description and create the E1201 service to be delivered in a Group Setting of no more than 7 individuals in a group and reimbursed at a Daily Rate. Chris Lavach made a motion for DARS to establish a Group Rate for no more than 7 individuals in a group, based off the E1200 service description, and reimbursed at a Daily Rate. Joanne Aceto seconded the motion. Lavach, Aceto, McElroy, Hargraves, Harper voted in agreement of the motion. Lyons abstained. DARS will establish a group code for this service.

#### **Update 07/09/2024** –

E1200 use for SFY24 (9/1/23-5/1/24), 1 Organization utilized this code, 30.25 hours utilized. Total Reimbursed: \$2,060.63

E1201 use for SFY24 – No service hours were utilized. This code was made available in late SFY24.

### **07/11/2023 Recommendation (Approved/Ongoing)**

The Committee recommends that DARS conduct a pilot to increase employment services to individuals with Medicaid Waiver funding. This pilot will allow LTESS funding to be utilized to fund staff travel that is over one hour, one way, from the employment staff's starting point. Current LTESS providers who serve Medicaid Waiver participants are eligible. Providers that participate in this pilot will sign an agreement stating that they will continue services if LTESS funds can no longer support staff travel. The pilot will be reviewed quarterly by the ESOSC and DARS. (Motion put forth by Shirley Lyons and seconded by Alan Hargraves. All members present voted in favor. Motion carried and was immediately approved by DARS Commissioner, Kathy Hayfield).

#### **Update 07/09/2024** –

E6030 use for SFY24 (12/1/23 – 5/1/24), 4 Organizations utilized this code, 540.05 hours utilized. Total Reimbursed: \$39,997.31

### **01/09/2024 Recommendation 1 (Approved/COMPLETED)**

A motion was made by Shirley Lyons to add BNAFSH as a LTESS provider once CARF accreditation has been achieved and if funds are available. BNAFSH has two vendor ID's, and each location will receive five-thousand dollars for the remainder of the year. Joanne Aceto seconded the motion. All members

present voted in favor and motion carried. DARS will seek approval from Commissioner Hayfield to add BNAFSH to the LTESS roster, upon successful CARF accreditation and as funds allow.

**Update 07/09/2024-** BNAFSH achieved 3-Year CARF accreditation status and was awarded LTESS funds for SFY25. This update will be removed from future updates to the Committee.

**01/09/2024 Recommendation 2 (NOT APPROVED)**

A motion was made by Joanne Aceto and seconded by Alan Hargraves for DARS to offer funds of up to \$50,000 per organization, up to \$1,000,000, to be used for capacity building for employment services personnel. The application process should be simple and justify how the funds will be used for capacity building. Outcomes will be reported at the end of 6 months. The Committee also recommended that organization that have not submitted Spending Reports for previous funds received, not be eligible to receive further relief until these outstanding reports are submitted and pending the availability of funds. Funds may only be used for expenses incurred for the delivery of employment services. Funds cannot be used for expenses incurred for other service lines, such as day support services, or residential services. Organizations accepting funds will be required to submit a detailed accounting of how funds were spent. All members present voted in favor of this recommendation.

**Update 07/09/2024-** This recommendation was not approved. DRS is requesting additional recommendations of how these funds can be better utilized. This update will be removed from future updates to the Committee.

**04/02/2024 Recommendation 1 (Approved/Ongoing)**

A motion was made by Shirley Lyons and seconded by Chuck McElroy that LTESS-EES funds be made available to all eligible Employment Service Organizations, up to \$10,000, to be used for costs related to Employment Services accreditation. This is for expenses paid to CARF and not to cover internal expenses. Surveys must be completed between June 1, 2023 and May 31, 2026 to be eligible for this reimbursement. This is a one-time reimbursement for the achievement of a 3-Year accreditation. All members present voted in favor of this recommendation. Commissioner Hayfield was present during discussion and approved this recommendation.

**Update 07/09/2024 –** Seventeen organizations were reviewed or were up for CARF Review during SFY24. Four of the seventeen were ineligible for reimbursement due to not submitting previous Spending Reports. One organization had not yet received their CARF report yet. One organization declined funds since their costs were reimbursed by another entity. Eleven organizations requested reimbursement. A total of \$77,087.00 was allocated to these organizations to assist with CARF costs.

Twenty-three organizations are scheduled for CARF review in SFY25. DRS has set aside a reserve of \$230,000 of SFY25 funds in anticipation that these organizations will earn a CARF credential and be eligible for reimbursement.

**04/02/2024 Recommendation 2 (Approved/COMPLETED)**

A motion was made by Shirley Lyons and seconded by Joanne Aceto to amend the ongoing/approved 07/11/2023 Recommendation where the Committee recommended that DARS conduct a pilot to increase employment services to individuals with Medicaid Waiver funding. This pilot will allow LTESS funding to be utilized to fund staff travel that is over one hour, one way, from the employment staff's starting point. Current LTESS providers who

serve Medicaid Waiver participants are eligible. Providers that participate in this pilot will sign an agreement stating that they will continue services if LTESS funds can no longer support staff travel. The pilot will be reviewed quarterly by the ESOSC and DARS. (Motion put forth by Shirley Lyons and seconded by Alan Hargraves. All members present voted in favor. Motion carried and was immediately approved by DARS Commissioner, Kathy Hayfield).

The recommendation made by Ms. Lyons at the meeting today was to amend the previous approved recommendation that will reduce the required one hour of travel time one way to travel that is over 30 minutes, one way, from the employment staff's starting point. All members present at today's meeting voted in favor of this recommendation. DARS Commissioner, Kathy Hayfield, approved this recommendation immediately after the recommendation was made by the Committee.

**Update 07/09/2024** – Changes were made to the E6030 service description to decrease travel time from “over one hour, on way” to “over 30 minutes, one way”. The section of the service description was revised and the new service description was distributed to ESOs.

The service description now reads:

This piloted service aims to increase employment services to individuals accessing LTFA services through Medicaid Waiver funding and will allow LTESS funding to be utilized to fund staff travel that is over 30 minutes, one way, from the employment staff's starting point. This update will be removed from future updates to the Committee.

#### **04/02/2024 Recommendation 3 (Approved/Ongoing)**

A motion was made by Shirley Lyons and seconded by Chuck McElroy recommending that DARS expand allowable activities under LTESS-EES funds to include brief intervention/time limited services to help an individual maintain job stability resulting from unforeseen circumstances. DARS will determine what the additional allowable activities may include and will update the service description to reflect these changes. All members present at today's meeting voted in favor of this recommendation. DARS Commissioner, Kathy Hayfield, approved this recommendation immediately after the recommendation was made by the Committee.

**Update 07/09/2024**- DRS Staff is working on this recommendation. DRS is requesting that the Committee share examples of situations for consideration where brief intervention/time limited services that resulted from unforeseen circumstances, were necessary to assist an individual in maintaining job stability.

#### **04/02/2024 Recommendation 4 (Approved/Ongoing)**

Alan Hargraves made a motion and Shirley Lyons seconded, that DARS investigate capacity building in underserved areas and how LTESS-EES funds may be used to support this. All members present approved this recommendation. DARS Commissioner, Kathy Hayfield, approved this recommendation immediately after the recommendation was made by the Committee.

**Update 07/09/2024** – DRS will begin research to map out underserved areas so that there is a greater understanding of how to proceed with addressing this issue.

**LTESS-EES SFY24 End of Year Actual Statistics, Reallocations, and SFY25 Allocation Methodology**

**Donna Bonessi, DRS Director ESSP**

Ms. Bonessi reviewed the LTESS-EES SFY2024 Final Spending Report, Comparisons, and Actual Balances. Below is the YTD Summary that reflects the final YTD balance of \$1,705,677.45.

Year to Date Summary			
	EES	LTESS	Total
Expected Expenditure	\$ 2,571,136.00	\$ 6,187,568.00	\$ 8,758,704.00
Actual Expenditure	\$ 1,399,565.70	\$ 5,511,373.85	\$ 6,910,939.55
YTD Balance	\$ 1,171,570.30	\$ 676,194.15	\$ 1,847,764.45
Cornell WISA Credential Reimb			\$ 65,000.00
CARF Accreditation Reimb			\$ 77,087.00
<b>Total YTD Balance</b>			<b>\$ 1,705,677.45</b>

**Commissioner’s Updates**

**Kathy Hayfield, DARS Commissioner**

Commissioner Hayfield participated in the ESOSC meeting and listened to discussion regarding maximizing services for individuals whose disability meets MSD/SD criteria. Commissioner Hayfield asked for recommendations on how DARS can increase services to these individuals and to underserved populations. No rate increases were allocated to ESOs this year as State Vocational Rehabilitation programs did not receive the annual COLA from Congress as is mandated.

In response to the Commissioner’s request for recommendations during this discussion, a motion was put forth by Greta Harrison and seconded by Chuck McElroy that DARS submit a request to the Governor to combine the two funding sources, LTESS and EES, into one fund. Combining the funds provide for more effective and efficient use of these state general funds to better meet the needs of individuals with disabilities who receive services from ESOs supported with LTESS and EES dollars. Currently, 234 individuals receive services through the EES program and 3959 people receive services through the LTESS program. The members of the ESOSC voted unanimously in favor of this recommendation. Commissioner Hayfield approved the recommendation and stated that DARS will request a language only amendment to the Budget Bill for SFY 26.

**Pre-ETS Codes, Monthly Report Templates, Billable Services, Value-Based Purchasing Model Discussion**

**Jason Harper**

DRS is currently reviewing SFY25 codes and working to correct errors that were recently identified in Pre-ETS service codes. DRS provided training to over 150 ESO staff and Vocational Rehabilitation Counselors on supported employment services, documentation expectations, and revised monthly reports. An FAQ was composed and disseminated by Anita Mundy to ESOs and VR Counselors addressing questions that were raised from the training. DRS is reviewing its internal processes regarding the Request for Authorization (RFA) form so that its usage has statewide consistency. Once a standard operating procedure is in place, information will be provided to the field and ESOs.

**SFY25 Future Meeting Dates, Upcoming Agenda Items and other Business**

**Committee**

SFY2025 Meeting dates were agreed upon by the Committee: January 14, April 8, July 8, October 14. The Committee will elect a new Chairperson and Vice-Chairperson at the October 8, 2024, meeting. The Committee will also vote to accept the changes to the Electronic Participation and All-Virtual meetings Policy.

**Adjournment**

The meeting adjourned at 2:15 p.m.

The next meeting of the Employment Service Organization Steering Committee is scheduled for October 8, 2024. The Committee will meet from 10:30 a.m. – 2:00 p.m. or until all business has been conducted.