

**DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, DC 20202**

**ANNUAL CLIENT ASSISTANCE PROGRAM REPORT
(October 1, 2012 – September 30, 2013)**

DESIGNATED AGENCY IDENTIFICATION

Name: BUREAU OF REHABILITATION SERVICES

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Phone: (207) 624-5977 Fax: (207) 624-5980

OPERATING AGENCY (IF DIFFERENT FROM DESIGNATED AGENCY)

Name: C.A.R.E.S., Inc.

Address: 134 Main, Suite 2C
Winthrop, ME 04364

E-mail address: kathy.despres@caresinc.org

Website: www.caresinc.org

Phone: (207) 377-7055 Fax: (207) 377-7057

Fiscal Year 2013

PART I. AGENCY WORKLOAD DATA

A. Information/referral services

(Multiple responses are not permitted)

- | | |
|---|-----|
| 1. Information regarding the Rehabilitation Act | 92 |
| 2. Information regarding Title I of the ADA | 0 |
| 3. Other information provided | 72 |
| 4. Total I&R services provided (Lines A1+A2+A3) | 164 |
| 5. Individuals attending trainings by CAP staff (approximate) | 99 |

B. Individuals served (An individual is counted only once during a fiscal year. Multiple counts are not permitted for Lines B1-B3)

- | | |
|--|----|
| 1. Individuals still being served as of October 1 carryover from prior year) | 26 |
| 2. Additional individuals who were served during the quarter | 69 |
| 3. Total of individuals served (Lines B1+B2) | 95 |

4. Individuals (from Line B3) who had multiple case files opened/closed this year. (In unusual situations, an individual may have more than one case file opened/closed during a fiscal year. This number is not added to the total in Line B3 above.) 1

C. Individuals still being served as of September 30
(Carryover to next year) (This total may not exceed Line I.B3.) 26

D. Reasons for closing individuals' case files
(Choose one primary reason for closing each case file. There may be more case files than the total number of individuals served to account for those unusual situations, referred to in Line I.B4, when an individual had multiple case files closed during the year.)

1. All issues resolved in individual's favor 33
2. Some issues resolved in individual's favor (when there are multiple issues) 7
3. CAP determines VR agency decision was appropriate for the individual 9
4. Individual's case lacks legal merit; inappropriate for CAP intervention 1
5. Individual chose alternative representation 1
6. Individual decided not to pursue resolution 4
7. Appeals were unsuccessful 0
8. CAP services not needed due to individual's death, relocation, etc. 1
9. Individual refused to cooperate with CAP 2
10. CAP unable to take case due to lack of resources 0
11. Other (Please explain on separate sheet) 0

E. Results achieved (Choose one primary outcome for each closed case file. As stated in Section D, there may be more case files than the total number of individuals served.)

1. Controlling law/policy explained to individual 27
2. Application for services completed 1
3. Eligibility determination expedited 1

4. Individual participated in evaluation	2
5. IPE developed/implemented	12
6. Communication re-established between individual and other party	5
7. Individual assigned to new counselor/office	8
8. Alternative resources identified for individual	2
9. ADA/504/EEO/OCR complaint made	0
10. Other (Please explain on separate sheet)	0

PART II. PROGRAM DATA

A. Age (as of the beginning of the fiscal year)
(Multiple responses not permitted)

1. 21 and under	8
2. 22 - 40	24
3. 41 - 64	56
4. 65 and over	7
5. Total (Sum of Lines A1 through A4. This total must equal Line I.B3)	95

B. Gender (Multiple responses not permitted)

1. Females	53
2. Males	42
3. Total (Lines B1+B2. This must equal Line I.B3)	95

C. Race/ethnicity (Multiple responses not permitted)

1. Hispanic/Latino of any race	2
2. American Indian or Alaskan Native	0
3. Asian	0

4. Black of African American	2
5. Native Hawaiian/Other Pacific Islander	0
6. White	91
7. Two or more races	0
8. Race/Ethnicity unknown	0

D. Primary disabling condition of individuals served (Multiple responses not permitted)

1. Blindness (both eyes)	5
2. Other visual impairments	7
3. Deafness	1
4. Hard of hearing	0
5. Deaf-blind	2
6. Orthopedic impairments	3
7. Absence of extremities	0
8. Mental illness	52
9. Substance abuse (alcohol or drugs)	0
10. Mental retardation	2
11. Specific learning disabilities (SLD)	7
12. Neurological disorders	2
13. Respiratory disorders	1
14. Heart & other circulatory conditions	1
15. Digestive disorders	0
16. Genitourinary conditions	0
17. Speech impairments	0

18. AIDS/HIV positive	1
19. Traumatic brain injured (TBI)	7
20. All other disabilities	4
21. Disability not known	0
22. Total (sum of Lines D1 through D21. This must equal Line I.B3)	95
E. Types of individuals served (Multiple responses permitted)	
1. Applicants of VR Program	4
2. Clients of VR Program	90
3. Applicants or clients of IL Program	1
4. Applicants or clients of other programs and projects funded under the Act	0
F. Source of individual's concern (Multiple responses permitted)	
1. VR agency only	94
2. Other Rehabilitation Act sources only	1
3. Both VR agency <u>and</u> other Rehabilitation Act sources	0
4. Employer	1
G. Problem areas (Multiple responses permitted)	
1. Individual requests information	95
2. Communication problems between individual and counselor	73
3. Conflict about services to be provided	68
4. Related to application/eligibility process	5
5. Related to IPE development/implementation	29
6. Other Rehabilitation Act-related problems	0
7. Non-Rehabilitation Act related	0

Part III Narrative

a. Type of agency used to administer CAP: The Bureau of Rehabilitation Services is the designated agency for the Client Assistance Program (CAP) in Maine. Since 1984 the State Agency has subcontracted with outside agencies to provide CAP services throughout the State of Maine. C.A.R.E.S., Inc., in existence since November 1, 1988, is a closely held, for-profit corporation making the Maine CAP an external-other organization. Since September 1992, Consulting, Advocacy, Research and Evaluation Services, Inc. (C.A.R.E.S., Inc.) has been effectively administering the CAP in Maine. CAP offers the full range of services required by Section 112 of the Rehabilitation Act

b. Sources of funds expended: Please see Attachment I

c. Budget for current and following fiscal years: Please see Attachment I

d. Number of person-years: The CAP is staffed by three professionals. Two of the professionals are full-time (2.0 FTE); the third is part-time (.20 FTE). Additionally, C.A.R.E.S., Inc. has a retainer agreement with a qualified attorney for the purpose of and legal consultation to CAP personnel and, if required, providing legal representation to CAP consumers. C.A.R.E.S., Inc. was 100% staffed in 2013.

e. Summary of presentations made: Approximately 99 people have attended training about CAP and other rehabilitation programs conducted by CAP staff. These trainings include orientation for new VR counselors, university and community college courses, members of the National Federation of the Blind and Alpha One's Independent Living staff. CAP was also heavily involved in the coordination and presentation of the Empowerment Forum, a day of information, education and call to action for people with disabilities.

f. Involvement with Advisory Boards: CAP staff is active members on the State Rehabilitation Council (SRC) for both the general VR program and the Division for the Blind and Visually Impaired VR. Within the SRC's staff have representation on numerous committees including Membership, Executive, Business, Policy & Legislation and State Plan. CAP staff is also involved on the Statewide Independent Living Council (SILC), Employment First Maine (EFM) Coalition, 121 Grant Advisory Committee, TACE Advisory Committee and the Committee on Disability and Employment (CDE).

g. Outreach to unserved/underserved populations: CAP staff has an open and collaborative relationship with the Director of the 121/Wabanaki VR program. CAP staff has begun to establish a relationship with the disabled immigrant population in Maine, specifically the Horn of Africa Aid and Rehabilitation Action Network.

h. Alternative dispute resolutions: CAP has an open and direct relationship with the DSU. The Directors, Regional Managers and Supervisors continue to avail themselves to CAP staff to discuss both individual and systemic issues. Because of this open dialogue and relationship, DSU staff is often prompt to respond to issues and concerns CAP brings forth. CAP estimates that through Alternative

Dispute Resolution techniques we were successful in avoiding hearing in at least (12) cases. In (11) cases, CAP was successful in negotiating a positive outcome for the client. In (1) case, CAP exercised the right to withdraw representation prior to the Fair Hearing.

i. Systemic Advocacy: CAP staff meets with the Directors of both VR programs on a quarterly basis. Several systemic issues have been discussed in these meetings as well as have been submitted as comments for the State Plan.

It is currently taking DVR 235 days to get consumers into and IPE and there is a high “drop out” statistic of 1,177 clients leaving DVR prior to getting into a plan. We recognize there has been positive movement (300 in 2011) in the time it takes clients to get into plan. We are looking forward to seeing this number fall further in the coming year. It is unclear as to why this is happening. DVR is aware of these numbers and is actively working on bettering the situation.

DBVI worked with the CAP on its general release of information (ROI). CAP staff met with the Lead Team at DBVI discusses the ROI concerns we had. As a result of this meeting and the discussion we had, the ROI procedure has been changed within DBVI to more closely fit the regulations. The other area of concern for CAP was the lack of staffing within the DBVI Portland office over the course of the year. This too has been remedied.

A concern for both DVR and DBVI is there has been no merit or cost of living increases since 2008 for any of the DSU staff. This is an issue throughout state agencies within Maine the DSU seeking qualified applicants. Frozen salaries for this amount of time create a barrier for obtaining and retaining qualified employees.

CAP staff also submitted testimony to two pieces of legislation during this fiscal year; LD 1888 and LD 496.

j. Interesting cases: Michael was actively engaged in VR services and had an agreed upon vocational goal of attorney. Out of necessity, Michael obtained part-time employment as a delivery driver. His VR Counselor wanted to close his case successful since he had, on his own, obtained employment and seemed happy with this job. Michael contacted CAP because he did not agree to the potential closure of his case. CAP staff successfully advocated for a change of VR Counselor on the case and VR continue providing services as outlined in the IPE. In addition, as the case progressed, VR declined to provide disability related services to overcome Michael’s barriers to employment as an attorney. Through our advocacy and negotiation, the necessary services were supported by VR and Michael achieved his vocational goal.

Angela came to CAP when the pace of her DBVI case was moving too slow in order to meet the school deadlines which were looming. Angela had been accepted into two colleges, one a state university and the other a small private college. Angela wanted to attend the small private college due to its size. Not only did Angela have a visual impairment but she also had orthopedic disability

which limited the distance she could walk in any given day. The CAP was able to demonstrate to DBVI that attending the smaller private college was a reasonable accommodation for someone with her given impairments.

Dwight came to the CAP when he and DVR could not agree on a IPE vocational goal. Dwight, who had been diagnosed with bipolar disorder and was recently released from prison with an assault conviction. Dwight was working in an entry level social work position and wanted to advance in the social work field at the time of his application to DVR. DVR refused to enter into an IPE goal in the social work field because of Dwight's criminal history, feeling he was unemployable. CAP was able to successfully negotiate with DVR on Dwight's behalf a change of counselor and a mutually acceptable vocational goal. Dwight will be attending a local college in the spring.

Pam contacted CAP after she received a closure letter from her VR Counselor. Pam did not agree with the closure of her case and was unsuccessful in her own attempts to advocate for her case to remain open. Upon review of the VR file, CAP determined that the VRC had not met the criteria to close Pam's case and therefore, the case should remain open. VR had assisted Pam in obtaining employment that was consistent with the specific vocational goal outlined in the IPE. After a period of less than 90 days, Pam's employer laid her off due to a poor economy. It was at this point VR declined to assist Pam in her efforts to secure another job and instead closed her case successful. After a lengthy negotiation, VR agreed to reopen Pam's case and continue providing assistance in securing employment.

Jim contacted CAP after having been told he was not on the wait list for Independent Living Services as he thought he had. After a review of the file, CAP identified a number of errors in the handling of Jim's case which led to him believing he was still on the wait list several years after his initial application. CAP staff successfully advocated for the client to be placed at the top of the wait list rather than re-apply and be placed at the bottom of the wait list.

k. On-line information/outreach: CAP has an existing website that is utilized for outreach purposes. CAP staff consults with our Computer Consultant to update and maintain the site as appropriate. From January 2013 to November 2013 C.A.R.E.S., Inc. had 9,794 hits on its web page.