

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Department on Disability Services**



**Fiscal Year 2015 Performance Oversight Hearing**

Testimony of  
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Before the

Committee on Health and Human Services

Council of the District of Columbia

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Good morning Chairperson Alexander, members and staff of the Committee on Health and Human Services. I am Laura Nuss the Director of the Department on Disability Services (DDS). With me at the table are Andrew Reese, the Deputy Director for the Rehabilitation Services Administration and Thomas Jared Morris, the Deputy Director for the Developmental Disabilities Administration. The Committee knows well the significant work Andrew Reese has accomplished over the last three years as he has led the District in advancing employment for people with disabilities, and significantly improving transition services for youth with disabilities to ensure each young person has a path toward inclusive post-secondary education or employment. Jared Morris is new in this role but not new to DDS. He served previously as the director of the Quality Management Division and has been instrumental in ensuring the agency meets its goals in the *Evans* case, where we have made significant progress that I will highlight and discuss later in my testimony. Directly behind me are other members of the DDS executive leadership team. This talented and experienced team is comprised of subject matter experts, as well as professionals whose leadership and service are a major driving force in the on-going systems change and quality service delivery at DDS.

Before delving into details of the agency's performance over the last year, I want to recognize the support provided by Mayor Bowser, Deputy Mayor for Health and Human Services Brenda Donald and their staff. Under their leadership and because of the groundwork they laid, the District is positioned for future growth and prosperity. As you know, the Mayor released an Accountability Report that highlighted the progress the city is making to create pathways to the middle class for its residents. DDS is working to support the Mayor's priorities by increasing opportunities for people with disabilities to obtain education, training and rehabilitation to achieve employment.

Today, I will provide an update on the department's performance and highlight achievements in fiscal year 2015 and to date in fiscal year 2016.

The Department on Disability Services is responsible for functions of the state and local operations of the developmental disabilities service system, the vocational rehabilitation service system and the Social Security Administration's disability determinations for the District of Columbia. DDS is composed of two major administrations – the Developmental Disabilities Administration (DDA) and the Rehabilitation Services Administration (RSA). The agency's mission is to enable people with disabilities to lead meaningful and productive lives as vital members of their families, fully integrated into schools, workplaces, and communities in every neighborhood in the District of Columbia.

As reported last year, a major focus of DDS' mission is its Employment First initiative, which is supported through three federal grants. This year we are focusing on building a sustainable infrastructure to infuse effective state-of-the-art practices into our services across systems. As an example, we have created a learning community on customized employment that is comprised of government and private partners who will become subject matter experts in their organizations, so that staff, community organization, and people with disabilities have access to their expertise and their ability to train and coach others. The District of Columbia has become a leader on Employment First and other states are requesting access to the protocols, policies and practices developed by DDS. In addition, the agency is actively involved in the Council of State Administrator of Vocational Rehabilitation (CSAVR), which is working with all state VR agencies in helping to make changes required under the Workforce Innovation and Opportunity Act (WIOA), with a particular focus on the provision of pre-employment transition services for students with disabilities and on ensuring that services are available to support people with the

most significant disabilities to obtain competitive, integrated employment. Our status on a national stage is something we are extremely proud of and represent how far DDS has come as a leader in disability services.

DDS's leadership in helping the District to create a No Wrong Door (NWD) system for access to all long-term services and supports for elders and people with disabilities continues as well. Last year, you may remember that the District received a No Wrong Door Planning Grant and, with the support of Deputy Mayor Brenda Donald, convened an interagency Leadership Council and a stakeholder advisory group, to develop a plan for a person-centered, user friendly, system comprised of government agencies and partners that responds to people's long term service and support needs, regardless of where people connect with the service system. I am pleased to report that the District is one of only five states that received a three-year federal No Wrong Door implementation grant to implement our plan, and we were recognized by the federal funding partners as having submitted the best grant application in the nation.

We recognize that listening to and learning from the people we support and their families is critical to improving our service delivery system. As part of our commitment to this goal, DDS expanded its community engagement through the Family Support Council (FSC), which we launched last year. The FSC, created through legislation supported by the DC Council, is comprised of 11 people who either have intellectual or developmental disabilities themselves, or who are family members of people with developmental disabilities across the lifespan. The FSC assists, advises, and provides recommendations to DDS and sister agencies on developing person and family-centered systems of supports. With participation from the DC Office on Aging's, Aging and Disability Resource Center, the DC Public Schools (DCPS), the Office of Disability Rights, and the Department of Behavioral Health (DBH), this new interagency advisory council

gives us the opportunity to plan across systems for how to better support people with intellectual and developmental disabilities of all ages and their families.

Similarly, DDS continues to work closely with and support Project ACTION!, DC's self-advocacy group for people with intellectual disabilities. We continue to build our D.C. Supporting Families of People with Intellectual and Developmental Disabilities Across the LifeSpan Community of Practice. We have convened a team that includes self-advocates, families, government partners, providers, other advocates, and stakeholders to help us identify where systems changes or improvements are needed. Our quarterly state team meetings now regularly draw 50 or more diverse attendees, including Spanish-speaking families, who engage and advise us on how to best support people with developmental disabilities and their families. Our work in this area is recognized around the country, and we have been invited to present at a variety of national conferences, including at the American Association of University Centers on Developmental Disabilities; the National Association of State Developmental Disabilities Directors; and more.

Finally, RSA also continues to work with the State Rehabilitation Council (SRC) and the Statewide Independent Living Council (SILC) to seek community input on the provision of vocational rehabilitation and independent living services. The SRC was particularly helpful in the development of the vocational rehabilitation program specific portion of the District's WIOA Unified State Plan. RSA consulted with the SRC in developing the goals and priorities for the four year state plan. The State Plan for Independent Living is a three year plan, which must be submitted to the Department of Health and Human Services by July 1, 2016. RSA is now beginning to work with the SILC in developing this plan.

**DEVELOPMENTAL DISABILITIES ADMINISTRATION (DDA)**

DDA is responsible for the oversight and coordination of all services and supports provided to eligible people with intellectual and developmental disabilities (IDD) in the District of Columbia. DDA coordinates home and community services for 2,270 people so each person can lead productive lives, choosing where they desire to reside, work, and engage in community activities that promote health, wellness and a high quality of life. DDA, during the last fiscal year, continued to work in areas that are paramount to the success of this mission. Some of these areas include our compliance work in the *Evans* class action lawsuit; the Person Centered Thinking approach to how we provide services and the previously mentioned Employment First initiative. All of these initiatives come together to support our work with DDA staff and the provider community to shift service delivery from facility-based congregate day services to truly integrated opportunities for employment, training and alternative day services that are more individualized and based on people's strengths and interests.

The District finds itself in an encouraging position in the efforts to exit the 40-year old *Evans* class action litigation. We are cautiously optimistic that this will be the last year for ongoing court oversight of our program of supports and services for the 489 former Forest Haven residents who are the remaining class members. Details of how far we have come in this case are included in our written submission to this Committee. As I reported previously, the federal court has determined the District government to be in compliance with all but certain parts of five of the seventy (70) remaining outcome criteria identified in the 2010 Exit Plan. These five remaining outcome criteria involve achieving a 90% compliance threshold in certain medical/health elements, the quality of vocational, day and employment services and the overall integration or inclusion for class members in the fabric of societal life.

I am pleased to note that on December 28, 2015, the Independent Compliance Administrator (ICA) notified the Court Monitor of the District government's intent to file certifications of compliance with these five remaining outcome criteria this month (March 2016). The Court Monitor began her joint monitoring activities in January 2016 and DDS will work diligently with the ICA to file our certifications of compliance with the Special Master in late March to early April 2016. Thereafter, the plaintiffs and the plaintiff-intervenor will have 30 to 60 calendar days to file objections, the Special Master will have 30 to 60 calendar days to file his report and recommendations with the Court, and then the Court will, hopefully, issue favorable rulings.

Our success in *Evans* can attributed in large part to DDA's dedication to and investment in the Person Centered Thinking (PCT) philosophy that looks to assist people who have historically lived in isolation to thrive in self-directed lives that include participation in activities in their own neighborhoods and communities as ordinary residents, recognizing their unique support needs. DDA has expanded its capacity to train and provide technical assistance in PCT for agency staff, as well as for our community providers that have embraced this philosophy and utilize it in their implementation of people's individual service plans.

Our service delivery system is now fully engaged in its largest transformation to date as it works to comport with a 2014 federal rule that contains a new, outcome-oriented definition of home and community-based services settings aimed at ensuring that people receive waiver services in settings that are integrated in and support full access to the greater community, including opportunities to seek employment and work in competitive and integrated settings, engage in community life, control personal resources, and receive services in the community. Since the promulgation of this rule, DDA has endeavored to work with the Department of

Healthcare Finance (DHCF), DDA staff, stakeholder groups and the home and community based waiver services providers to make this critical shift that requires compliance by March 2019 across the nation. DDS has developed a Statewide Transition Plan for our home and community-based waiver services to meet the requirements of the new outcome oriented definition of HCBS settings. In September, we received approval from the Centers for Medicare and Medicaid Services (CMS) on our pending amendments to our Home and Community Based Services waiver and have been working collaboratively with the Department of Healthcare Finance (DHCF) and stakeholders to update our governing regulations. We have revised and published more than 25 regulations governing the waiver, and, throughout, have updated them not only to comport with the waiver amendments, but also to reflect our system's requirements around Person Centered Thinking, Employment First, and the vital importance of community integration. This work is part of our plan to transform our system to comply with the CMS Home and Community Based Settings Rule, which requires, among other things, that by March 2019 all of our waiver residential, day and vocational settings must be integrated in and facilitate full access to the greater community; optimize people's autonomy and independence in making life choices; and provide an opportunity to seek competitive employment.

**REHABILITATION SERVICES ADMINISTRATION (RSA)**

RSA provides services to people with disabilities to help them obtain, retain or advance in employment and live independently in the community. In FY 2015, RSA continued its record of consistent performance improvement and met all Key Performance Indicators (KPIs). In FY2015, RSA had 670 successful closures or, stated otherwise, 670 people obtained and maintained employment for at least 90 days – which exceeded both the District and federal targets.



As reported last year, the Workforce Innovation and Opportunity Act or WIOA, required a number of changes in the District's workforce development system. WIOA required three changes to RSA's workforce delivery system: the reservation of 15% of the vocational rehabilitation grant to provide pre-employment transition services for students with disabilities; focused services on assisting people who have the most significant barriers to obtain employment; and improved coordination of the services provided through the workforce development system, particularly those services provided at the American Job Centers. A number of efforts at RSA were focused on meeting the mandates of this federal legislation, many of which are consistent with Mayor Bowser's priorities in education, jobs creation, and economic development. In FY 2014, RSA began shifting resources to better serve youth transitioning from high school to post-secondary education training or employment. The agency increased the number of Vocational Rehabilitation counselors from six to 14 by the end of FY 2014, who provide services in over eighty public, public charter and non-public schools in the DC-Baltimore area that serve DC students with disabilities.

Furthermore, WIOA now requires states to prepare a Unified Workforce Development Plan. RSA staff has worked very closely with staff at the Workforce Investment Council (WIC), DOES, DHS and OSSE to prepare a draft workforce development plan. The WIC is currently hosting a number of community engagement sessions in order to receive public feedback on the draft plan prior to its submissions to the Departments of Education and Labor by April 1, 2016. The Unified Plan has established the strategies the District will employ to improve the coordination of workforce services in the District.

Madam Chair, last year, you raised questions about RSA's coordination with DCPS. With the passage of WIOA and Mayor Bowser's priority in ensuring that all students exit high

school ready for post-secondary education or employment, RSA also made significant gains during FY 2015 to improve coordination with DCPS and Public Charter Schools in developing pre-employment transition services for students with disabilities. These services are provided to any student who is potentially eligible for vocational rehabilitation services, including students who have an individualized education plan or those students who are eligible for a 504 plan under the Rehabilitation Act. This improved coordination is facilitated through a new Memorandum of Understanding between DDS/RSA and DCPS, by which RSA provides DCPS funding for three workforce development coordinators. These new staff work with an assigned vocational rehabilitation counselor to provide Pre-Employment Transition Services (PETS) to students, including career counseling, work based learning experiences, work readiness training and counseling on post-secondary opportunities. In addition, RSA has coordinated with the Center for Independent Living, which is now providing peer counseling to students in three DC public schools.

Also, RSA has also established a contract with the Special Education Cooperative to obtain assistance in coordinating services with all Public Charter Schools. The Special Education Cooperative is a community based non-profit organization that provides technical assistance on special education to public charter schools. The Special Education Cooperative is creating an alternative spring break for students in public charter schools. These students will receive work readiness training and career counseling during the week of spring break. RSA has one employment coordinator who is dedicated to work exclusively with students in public charter schools. This coordinator is working closely with the staff from the Special Education Cooperative to develop the work readiness training and find job and internship opportunities for students.

RSA has a strong commitment to expand initiatives that create work experiences for students with disabilities and is working collaboratively with other District agencies to do so. In June, 2015, RSA launched the Summer Institute for students with significant disabilities. This institute provided a week-long training prior to the Marion Barry Summer Youth Employment Program (SYEP) for 22 students with intellectual and developmental disabilities. RSA coordinated with DCPS, a Public Charter High School, DOES, OSSE and School Talk – a community based non-profit organization – to develop this pilot program. All 22 youth had successful placements during the SYEP. In FY 2016, the agency plans to expand this successful program to offer placements to at least 50 students.

RSA is also working closely with DCPS and the Public Charter Schools to fund paid work experiences for all students who attend the River Terrace Career Academy. These are part-time placements in the field that the students are receiving training at River Terrace, i.e., horticulture, hospitality and health care. Lastly, in FY 2015, RSA established a new Project Search site, in coordination with DCPS. Project Search is a ten month training program for students with intellectual and developmental disabilities. In FY 2015, RSA established an agreement with Embassy Suites, Convention Center, to establish a new Project Search training site there. During this school year, there are eight students participating in the training. These students are learning job skills in different areas of hospitality, through hands on training at two Embassy Suites in the District. The expectation is that all students will be prepared and obtain employment at a local hotel upon completion of the program.

RSA has made a number of changes in order to improve outcomes for adults with the most significant disabilities. The agency has improved coordination of services with the Developmental Disability Administration within DDS and with the Department of Behavioral

Health (DBH). This improved coordination is resulting in more seamless transitions from DDA or DBH to RSA, when clients are referred for supported employment services, as well as the referrals back to DDA and DBH, after a person has obtained employment and achieved stability in employment, and requires extended services from DDA or DBH in order to maintain employment. RSA now has a protocol in place regarding coordination of services with DDA and an MOA in place with DBH. We expect to see a significant increase in the number of people with intellectual and developmental disabilities, and those with serious mental illness or serious emotional disturbance, who obtain and maintain competitive, integrated employment in FY 2016.

**DDS OPERATIONS**

As a service agency, customer service is crucial to our performance. The Customer Relations Unit is an integral part of our overall advocacy efforts and a critical component of the DDS Office of the Director operations. This unit is staffed with two full time employees that receive telephone calls, email, hard mail and in person requests for assistance; and they are solely dedicated to responding and coordinating efforts within the agency to address the needs of each correspondent. Our customer relations specialists help to remove obstacles, clarify actions needed and when needed prod the respective staff member to address the needs of the person calling. It is certainly my desire to have much less of such complaints but as any other service agency finds, these issues exist and this type of ombudsman service is available to ensure that people we support have an opportunity to raise their complaints and have an avenue whereby their concerns are addressed swiftly and satisfactorily. I am pleased to report that nearly half of service requests are resolved in three days or less.

In FY 15 the agency began preparation in conjunction with the Department of General Services for a move to a new and more accessible location. DDS has been struggling with the conditions in our current building and the location was less than suitable for the people we serve. I am happy to say that we will be relocating this Spring to a renovated office space at 250 E. Street, SW and as part of the relocation we are becoming a more “green” agency with major efforts at paper reduction, embracing the District’s Workplace Wellness efforts and providing a more healthy environment for our staff. More importantly, the new location is easily accessible for the people we serve, boasts a model of universal design and a more welcoming and supportive environment for people with disabilities. I look forward to inviting you to our ribbon cutting.

Finally, our Disabilities Determination Division (DDD) which adjudicates Social Security Disability claims, completed 14,183 claims in FY 2015, and in FY 2016 to date, has cleared 6,042 cases. For FY 2016, the DDD accuracy record is third best in the Mid-Atlantic region at 97.8 % for the 1<sup>st</sup> Quarter.

In conclusion, I want to take this opportunity to give a heartfelt thank you to the hardworking staff at DDS. Over the past year, we have called on our staff to join in our efforts each day to improve the quality of our system and increase the capacity of the agency to meet the needs of those we serve. This is not easy and there are challenges that come with systems change, but the dedicated staff at DDS has shown their commitment time and time again by rising to the occasion and providing solutions that yield results and positive outcomes for the people we support. I am proud to be a colleague amongst such dedicated and committed people and look forward to the achievements we will make together in the next fiscal year.

Also, I want to thank the provider community who are our partners and agents in providing community-based and integrated services to people with disabilities. Also, special thanks to the self-advocates, family members and advocates community who push us to improve and whose advise and recommendations we rely on to ensure that people with disabilities lead a meaningful life in the District of Columbia. Thank you Madam Chair, members of the Committee on Health and Human Services and your staff for the cooperation on matters before this Committee. I hope you will find through my testimony that we are devoted to the transparency and accountability standards set by Mayor Bowser and look forward to working with you and the DC Council to improve the lives of all District residents.

This concludes my presentation, I and other members of my staff are available to answer any questions you might have. Thank you.