P.O. Box 33386

Las Vegas, NV 89133

[nvsilc@adsd.nv.gov](mailto:nvsilc@adsd.nv.gov)

<https://www.nvsilc.com/>

# Draft Minutes

Name of Organization: Nevada Statewide Independent Living Council (NV SILC) Integrated Workforce Development Subcommittee (IWD)

Date and Time of Meeting: Thursday, February 17, 2022

2:30 p.m.

This meeting will be held via video-conference only:

The public may observe this meeting and provide public comment on Zoom.

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1. Welcome, Roll Call and Introductions

Dr. Sondra Cosgrove, Subcommittee Chair

Members Present: Ace Patrick, Tracy Brown-May, Bryan Hilbert, Cindi Swanson, Dora Martinez, Kate Osti, Mechelle Merrill, Raquel O’Neill, Robin Kincaid, Sondra Cosgrove

Guests: Carley Murray, Emily Carrasco, Eilish Kelderman, Natasha Meier, Steven Cohen,

1. Public Comment

(No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.)

Raquel O’Neill: Invited the group to a National Federation of the Blind (NFB) of Nevada career fair in June that is open to all individuals with disabilities. They have a location at the Arizona Charlies hotel in Las Vegas. Blind Connect is starting Nevada’s first job program for the blind and low vision job seekers that starts within a week. It is a nine-week course with the outcome of individuals having job applications out there in the community as well as interviews lined up.

Dawn Lyons: Asked if the job fair is for Southern Nevada only.

Raquel O’Neill: The Southern NFB Chapter is doing it first, and the Northern NFB Chapter may follow up.

Bryan Hilbert: What employers will be present?

Raquel O’Neill: Amazon, Sephora, and Google. They have been in touch with some casinos, and are trying to get a variety of retail, food and beverage and customer service type jobs.

Bryan Hilbert: In 2019, Amazon hired a person to lead their ASL customer service. Raquel could reach out to them.

Raquel O’Neill: They have been in touch with that accommodations department.

1. Approval of Meeting Minutes from 9/28/2021 **(For Possible Action).**

Dr. Sondra Cosgrove, Subcommittee Chair

Tracy Brown-May noted a correction.

Cohen is the correct spelling.

Ace Patrick Motioned to approve the draft minutes with the one correction.

Raquel O’Neill seconded. Motion carried.

1. Discussion and Make Recommendations Regarding Heart of Glass Premiere and Panel Discussion in October 2021 **(For Possible Action).**

Dr. Sondra Cosgrove, Subcommittee Chair

Dawn Lyons: Asked Sondra if she had reached out to the Las Vegas band of Paiute tribe regarding the Vertical Harvest contract yet?

Sondra Cosgrove: She emailed the tribe but has not heard back yet.

Dawn Lyons: She and Emily Davis were in touch with the Transition Services and are trying to determine what it would take to get something happening in Nevada, starting in Southern Nevada. They found that there is already a contract in place and that they would need to get in touch with their municipality. Sondra Cosgrove will reach out and keep the group updated. She believes that it is the Las Vegas band of Paiutes that they will be working to partner with. It might be possible to have a tribal member come to a future meeting.

Tracy Brown-May: Asked if the purpose of the partnership would be for job placement, to create a Vertical Harvest in Nevada?

Dawn Lyons: Emily from Transition Services attended the Hearts of Glass panel discussion and the showing. Emily said that her organization owns land in Clark County, that would be a perfect place to establish a Vertical Harvest type of business, or employing people with disabilities, and integrated employment and including people with disabilities.

There has been some researching and looking into this and there are a couple other people in town and up in the rural areas in Northern Nevada, that are also interested in why the Disability Community wasn't told about this when it began with the Southern Nevada of municipalities and how to become involved and possibly partner. It would be job placement and job training, those types of partnerships. The Indian tribes have a one-on-one relationship with the Federal government and that might be why the Disability Community was not on their radar to collaborate with. Dawn will update the group as soon as she has new information.

1. Discussion and Make Recommendations Regarding South Carolina and California Legislative Initiatives Being Models for Nevada **(For Possible Action).**

Dr. Sondra Cosgrove, Subcommittee Chair

Dawn Lyons: These are two different states from two different political backgrounds. There is bi-partisan support for both. Perhaps there is a model of the middle ground for Nevada.

Tracy Brown-May: The Legislative Council Bureau is pulling pieces of legislation from across the country, and as well as the National Council on State legislatures that's really helping them to develop and craft what this bill draft request will look like. They are working hard to align all the parties to make sure that the providers are on board along with the people with disabilities. They will also have to pull in the Labor Commissioner and make sure that rulemaking is addressed. There are a lot of moving parts.

1. Discussion and Make Recommendations Regarding Future Legislation Impacting Integrated Employment in Nevada **(For Possible Action).**

Tracy Brown-May, Assemblywoman, District 42

Tracy Brown-May: She has submitted her first two bill draft requests to the Legislative Council Bureau (LCB). The first one is to provide transition away from section 14C of the Fair Labor Standards Act for all the Nevada Jobs, and Day Training (JDT) Providers. Traditionally, this has been presented every session of the Legislature and It's always met with opposition because the issue is presented as a labor issue. Everybody has an opinion about Section 14 to the Fair Labor Standards Act as the sub-minimum wage piece, which is isolating for people with disabilities.

If they provide and create transition, people who are in day training support services can still have access to some type of employment activity at minimum wage. Then they allow a timeframe for providers to be able to change over their models to not lose people out of service and grow employment. The bill is being crafted a little bit differently than it's been traditionally presented. She has met with all the JDT providers in the State and they're in the process of coming up with their recommendations for how best to transition their programs away from 14C. Every person with a disability in a program who's doing productive commercial work would be paid minimum wage.

That's the first bill, it's taken into consideration, pieces of legislation from across the country,

primarily the Federal Transformation and Competitive Employment Act.

There's a grant component to it to allow JDT providers to be able to fund the transition support. There's a time frame integrated in it so that it doesn't just cut off programs, within the next week or a month or a year, but that there is a thoughtful timeframe for provider organizations, to transition out. Currently, there are only about 4 JDT providers out of 40 in the State.

By presenting this first Bill draft request, it gives an opportunity to change up how disability support services in Nevada are provided, and to focus more on Integrated Employment at minimum wage outcome could look like.

The second bill draft request that she has, is at the request of the Administrator of the Administration.

The jobs and day training providers currently can’t offer community-based programming for people who require medication during the middle of their day.

If there's not a certified nurse able to do medication administration, people can't go into the community.

Basically, the SLA providers, the residential providers, can provide medication administration even in the overnight hours, by having their staff complete a medication administration course. A JDT provider can help the person that they are supporting in a community setting, and not in a center-based setting so that doesn't limit hours within the day.

This is the opportunity to help day training providers go out into the community more often so that people then become more integrated in their settings. The third piece they will work on, is not a bill draft request, but it is the waiver renewal. The Home Community-Based Services Waiver is up, which is in alignment with the State budget development.

For the first time in 20 years, they have an opportunity to craft the State budget that's in alignment with the waiver.

Hopefully they will have an opportunity to address reimbursement rates.

People who are receiving supports under the Home and Community Services Waiver can get a higher level of individualized support because of the higher rate. The proposed rate will be better able to provide one to one support.

Michelle and her team are only able to provide jobs and supports.

If someone is seeking employment, it's important to build up the home and community services waiver so that Vocational Rehab can meet the needs of a person with a disability. That is what they are trying to do in this waiver renewal and increased reimbursement rates. When a person gets to the point where they want to seek employment and open a Vocational Rehabilitation case, they have the supports needed to get them there. This would stop the lag in between the 2 types of programs.

Those are the first 3 things that they are working on.

She has been working on some specific issues for people who are blind or have low vision. They have presented a couple of ideas and are looking for some information relative to that item.

One would be getting the white cane recognized as durable medical equipment.

They are working on additional information for independent living program training opportunities that are currently not funded but written into the NRS.

She has been working with Assemblywoman Cohen on these issues. They want to listen to the members of the disability community that have been passionately involved for so many years.

She invited people to bring ideas to her while she is in the middle of interim committees. They will have an opportunity to talk about some of the Independent Living things that are not funded currently under the Home and Community-Based Services Waiver or the General Fund.

Bryan Hilbert: Asked if a lot of those community-based services funds are passed through the Federal government.

Tracy Brown-May: Stated that, yes, they are a 3 to 1 match. They are matched dollars, and the percentage varies based upon where they are. Right now, their match is much higher, because of the current emergency situation that they are in now.

Nevada, as a State, has an opportunity to write the services wanted, into the waiver to go to CMS, and then ask for approval. There are other states that have a much more robust menu, than Nevada currently has. This is an opportunity to build in transition supports by changing the waiver.

Bryan Hilbert: If the services are expanded, do the bill rates in the waiver increase? That would have to come from state of Nevada dollars or local dollars, he assumes it wouldn't come from the Feds.

Tracy Brown-May: They will have the opportunity to build the match to what the waiver is.

They would probably incrementally increase the general fund. Asking for it would be very small in comparison to what potentially other departments would be asking for.

They can address the needs of one-to-one for people with disabilities that have not met as a State before. They are talking about 3,000 people currently funded under the HCBs Waiver, or the Id HCBs waiver here in Nevada.

Cindi Swanson: There is talk about getting rid of sub-minimum wage in Washington.

She came from a state where she could use her waiver for different things.

If she, as a person with an intellectual developmental disability, had run out of all her time with Vocational Rehabilitation, she could hire her personal service worker to come along as her job coach also.

But if somebody is allowed to give medication during the day, then more disabled people can go out into the public and do more community things.

Dawn Lyons: When talking about being able to have JDT providers administer medications during the middle of the day, so that individuals with disabilities can be trained.

Eventually, when they do transition out in the community, would that mean that the JDT Provider would have to come to the workplace and provide those medications.

How does that work?

Tracy Brown-May: Not everyone wants competitive, integrated employment.

In the instance, that a person would choose competitive, integrated employment, they would in all probability be able to self-administer, or have other community supports to be able to get them medication.

At that point people can take their medication or have a reminder or other prompts, then that would be part of the job support. The JDT provider would not necessarily go with them to work, but might check in. You might not have a JDT provider. Instead of a JDT provider, it might be the employer.

The individual might not work for the whole day and may do other things in the community.

It could include socialization. it could include life skills development and so It's important that they write the waiver in such a way that the support Provider could be certified to be able to support the individual in their community.

Dawn Lyons: When 14C is eventually eliminated, how would that be handled for those people who do not want integrated employment out in the community?

Tracy Brown-May: 14C is only about subminimum wages. The provider organizations in Nevada currently use it as a training activity. It's not competitive employment and there is no risk of being fired from a 14C provider. There is no disciplinary action, there is no performance expectation other than the person is redirected to perform the productive activity.

It is not actual employment; people don't get paychecks that have taxes taken out.

It's a day training program where people are compensated based upon what they produce to encourage people to want to seek employment or be productive.

She has seen in Nevada, when the person is still receiving supports from a JDT provider and they're productive, the programs have transitions of their programs, so that when a person is in a commercial contract, they are earning minimum wage. These jobs do not include self-care.

The goal is to identify who wants to be productive and seek employment in the same way that Vocational Rehabilitation would do that.

Are they seeking employment as an outcome and if they are, their individualized support plan is going to move them in a very specific direction and do skills development and training?

If they are not, then other types of activities and skill development are going to be built into their plan.

Dawn Lyons: It's about allowing people to be able to make the choice about what their outcome is, whether they want employment or want other activities.

We all assume that everybody wants to be employed. The reality is not everybody does

Mechelle Merrill: Another example is if someone is a little bit older and they choose to retire. They've been working to whatever capacity they can, and they get to an age where they feel like they're done. But they don't want to sit home alone all the time, so what activities, or events, or circumstance is there for them?

It’s not in their best interest for them to be alone all the time, typically it's called de-habilitation.

The idea behind the Meaningful Day is that people should have a day filled with that which fills their personal cup. The Assemblywoman said that when they are working, they're paid minimum wage or better depending upon the work that they're doing. When they are not working, they are doing their social activities.

That's okay, they're in a safe environment and they would be getting the medication supports.

Ace Patrick: She is a senior on the blind and disabled portion of the Winn waiver and is retired. Asked if Medicaid will raise the wage for PCAs?

Tracy Brown-May: The waiver she is working on is the ID waiver. The ID waiver funds direct support professionals for folks who have intellectual disabilities.

Tracy Brown-May: Nevada operates 3 waivers currently. They are all negotiated independently with the divisions that operate them, and the Division of Health Care Finance and Policy in the State. There are 3 different budget line items because they are 3 different waivers. Each of the waivers has a different rate attached to it.

The waiver that she is currently focused on is the ID waiver. People who have intellectual disabilities are funded under the HCB’s ID waiver.

The rates for PCAs should be taken into consideration, and that is a bigger conversation than this one waiver. She feels that there needs to be a conversation about renewal.

She is trying to get the ID Waiver supports upgraded so that they can help the JDT providers transition away from 14C and get people with intellectual disabilities into the right activities that they choose. That's the number one focus with the first BDR.

She is happy to talk to the Division and find out where they are, relative to the other waiver renewals. She will bring it up in a conversation with the Director the next day.

Sondra Cosgrove: Decided to put this subject on the next agenda.

Ace Patrick: It would be great to get all the waivers in line and get better pay for PCAs.

Dawn Lyons: Can we approach this for all the waivers? It’s important for the rates to go up for everyone.

Sondra Cosgrove: There could be standing agenda items for Assemblywoman Tracy Brown-May to give the IWD subcommittee updates. She wants people to show up to interim committees and hearings that are happening right now.

She suggested that people identify themselves as a constituent because it's important that they be seen as voters because oftentimes, this is not only in the interim session of the legislature, but also in an election cycle.

Mechelle Merrill: In the recent CSPD meeting, they were talking about wanting to possibly seek a BDR, or something in support of some changes or enhancements to the 700 Hour Program.

She thinks they are going to be bringing forth a letter of support for such change and she wanted to put that on the Assemblywoman's radar.

1. Update Regarding the January 27, 2022, Meeting Held by the Community College Workforce Training and Programs Committee.

Dr. Sondra Cosgrove, Subcommittee Chair

Sondra Cosgrove: The Community College Workforce Training and Programs Committee is having another meeting on Monday, February 28th from 2:30 to 3:30pm. She will send the information to Dawn and Wendy to distribute. She attended the prior meeting and provided public comment. She has been to many of the Interim meetings because she works at a community college. This committee is very focused on the funding formula. The higher education formula funds only the academic side, so anything that's considered workforce training does not get State dollars allocated to it but there's not a clear, hard line between what's workforce training and what's academic.

There is an expectation that a person is going to be able to write a report and do public speaking.

Her students are on both sides of the house, but they only get funded on one side. It's putting a tremendous strain on the community colleges. She can understand why they want this interim committee.

Every Nevadan trying to get a career, needs to be funded. The constituents need to be involved in these discussions.

She would like them to be more inclusive and so is asking the members of this subcommittee to write to them as constituents.

Dawn Lyons: Thanked Sondra for looking into that committee and agrees that it's important to contact them and let them know this group’s opinions. There does need to be more unification between all these councils and committees. This subcommittee can review what was on their agenda last time, as well as in the meeting materials.

Sondra Cosgrove: She gets emails from the Nevada System of Higher Education and will forward the next agenda to Dawn and Wendy for distribution.

1. Discussion and Make Recommendations Regarding a Strategic Plan for Workforce Inclusivity **(For Possible Action).**

Dr. Sondra Cosgrove, Subcommittee Chair

Sondra Cosgrove: She wants to make sure that if other committees that are meeting and talking about workforce, are including the Disability Community.

Cindi Swanson: Thanked Assemblywoman Brown-May for her work. Cindi has been in Nevada for eighteen months and feels that people in Nevada do not understand the public benefits that are available to people with disabilities who work. Nevada has lost its funding for a Work Incentive and Planning Administration, (WIPA) coordinator. Every state has one. Nevada currently shares one with Colorado. By the time most parents realize they need to go to the website, they have already made big mistakes relating to their disabled child working, making too much money, etc. She asked Assemblywoman Brown-May about researching the possibility to hire two WIPA representatives, one for Northern Nevada and one for Southern Nevada. She thinks it takes about eight months of training to understand the work incentives to do that training for families. She was told that if a young disabled person earns six Social Security credits by the time they are 24 years old, they will be eligible for Medicare and Medicaid.

Bryan Hilbert: There was a meeting right after the RFP had closed and been awarded, and the reason that the WIPA contract ended up where it did is that Nevada did not have a qualified vendor that was interested in it.

It would be great for someone to get those trainings and be able to give that information. He does not know where the funding would come from or how to connect with consumers.

They may have to get a little bit of this and help people until that contract is up for renewal again. He does not know if anyone is working with the current vendor or not.

This is the first time he has heard about impairment related work expenses.

Kate Osti: Invited Cindi to call her at NDALC to work on individuals who are on Social Security and would like to return to work. Regarding the WIPA programs itself, she does one of the things with Social Security under the grant that allows her to work with people returning to work with the new program, Abilities Connection.

And if people are having difficulties with them, she encouraged people to call her, because that is something she can take up with NDALC’s federal partners about.

Cindi Swanson: Will connect with Kate. Families are not being connected while their children are still in school.

Kate Osti: Wants to talk about outreach for the families, especially in the school system.

Steven Cohen: He met with the new WIPA contact, Julie Taylor who is in the process of moving to Nevada from Colorado Springs.

Dawn Lyons: At the last meeting, Mechelle Merrill mentioned that Vocational Rehabilitation was looking into getting experts out in the field to talk about people being clients early on. She wanted to know if that was being implemented within the pre-et program, or if it's something that is just for clients who Vocational Rehabilitation is helping after they are graduated from high school, or after they've received services?

Mechelle Merrill: They are not looking at it specifically as a pre-ets, because it's not in the definition of the 5 pre-ets, although it is in the other authorized services.

Because it is not in the first 5 primary, they are hoping to serve their largest population to get things in place for their adult population seeking employment, and they are simultaneously working on bringing DB-101 to Nevada which is the online website where it is more of a self-serve.

It is tailored to Nevada, and they are hopeful to be able to seek those funds and get that established. That will help everybody not just Vocational Rehabilitation, anybody can go to it. It will be a free website. It will have all the benefit calculators and it’s easy to use extensive library of supports answering questions.

Everything talked about in this meeting for example, is covered there. They are looking at some vendors who can provide benefit planning services.

It is not an easy thing to do and takes a lot of training to be qualified to do so.

Dawn Lyons: The SILC is sponsoring Julie Taylor to come to provide information at a vendor booth for the Self Advocacy Conference that the DD Council is hosting in August, and during that time, it's a good opportunity to grab her attention in person and let her know these things. She invited everyone to join her in that conversation.

Sondra Cosgrove: She is hearing two things to go into the Strategic Plan. First, make sure that anyone talking about workforce development and training is aware that the disability community is out here. They want to have meaningful employment, and they want their issues to be on the table. Second, make sure that there is capacity within the State to make sure people who have family members with disabilities are aware of all the services that are available to them.

Dawn Lyons: Will connect with Kate about what Kate is allowed to do, and about funding to get the word out.

Kate Osti: She does have counterparts in the rest of the state.

Sondra Cosgrove: She drafted a letter to the lieutenant governor’s office regarding new work options that have opened opportunities for Nevadans with disabilities.

Dawn Lyons: Motioned to approve the letter as is. Ace Patrick seconded. Motion carried.

1. Discussion and Make Recommendations Regarding any Member Announcements and Upcoming Events **(For Possible Action)**.

Dr. Sondra Cosgrove, Subcommittee Chair

Raquel O’Neill: The National Federation of the Blind (NFB), of Southern Nevada is putting on a job fair in June. It will be hosted at Arizona Charlie’s, in Las Vegas. Any employers and any individuals with disabilities are welcome.

Mechelle Merrill: Blind Connect and Vocational Rehabilitation are partnering to create a series of videos on their YouTube and Collective YouTube channels.

Cindi Swanson: There is a conference being planned by a new organization called Down Syndrome Connection.

Tracy Brown-May: Assemblywoman Cohen and she are working on their next Disability Conference.

1. Approve Next Meeting Agenda Items and Meeting Dates **(For Possible Action)**

Dr. Sondra Cosgrove, Subcommittee Chair

Bill update

Steven to update on vendor

Follow up on Vertical Harvest

Invite the Lieutenant Governor to the next meeting.

1. Public Comment

(No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.)

Ace Patrick: Thanked Assemblywoman Brown-May and Mechelle Merrill for taking the time to attend this meeting.

Steven Cohen: He has concerns about the Internal Job Development Team (IJDT), at Vocational Rehabilitation and has sent an email to Mechelle Merrill with his concerns.

Robin Kincaid: Nevada PEP has been hearing in many states about the barriers to employment for persons with disabilities related to transportation.

Dawn Lyons: The report was supposed to be a part of the meeting materials and because it was not, we neglected to talk about it, but it was the intention. The report should be posted soon to our website.

1. Adjournment

Dr. Sondra Cosgrove, Subcommittee Chair

Meeting adjourned at: 3:50 pm.

**NOTE:** We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Wendy Thornley at (775) 687-0551 as soon as possible and at least five days in advance of the meeting. If you wish, you may email her at [wthornley@adsd.nv.gov](mailto:wthornley@adsd.nv.gov) According to NRS 241.020, supporting materials for this meeting is available at: 3416 Goni Road, #D-132, Carson City, NV 89706 or by contacting Wendy Thornley at (775) 687-0551 or by email at [wthornley@adsd.nv.gov](mailto:wthornley@adsd.nv.gov).

***Agenda Posted at the Following Locations:***

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