

MassAbility

Ombudsman & CAP

Ombudsman- Emily McCaffrey

3/6/2025

The Ombudsman and Roles

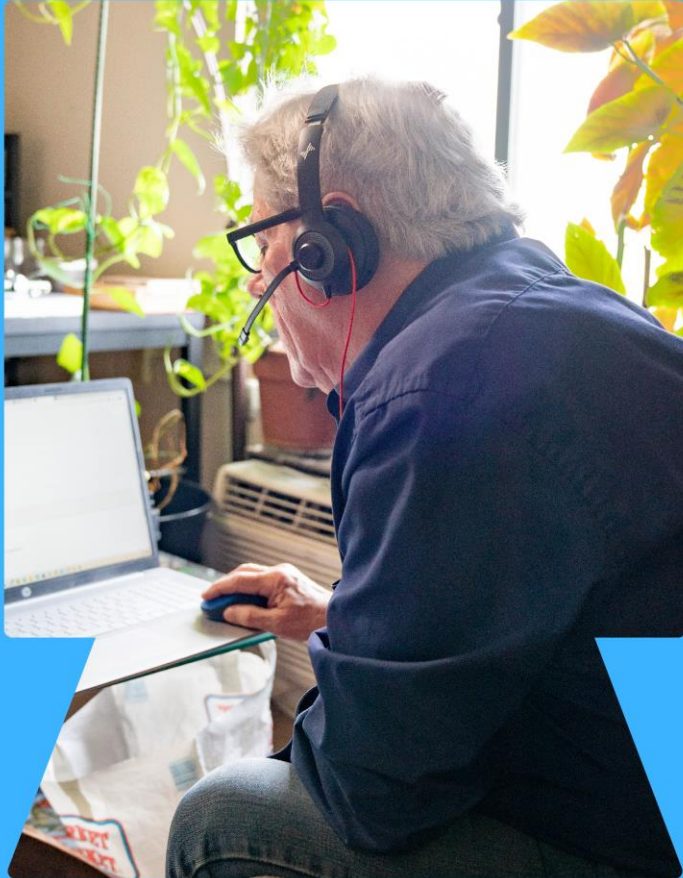
- Impartial official assigned to investigate participant queries and complaints.
- Cannot make decisions on participant cases.
- Covers SHIP, Career Services, Home Care and Supported Living.
- Works collaboratively with participants and providers to resolve barriers and conflicts where applicable.
- Tracks and collects data on queries and issues to analyze themes and patterns.



DATA- Inquires

- May 23'- Dec.23'
 - Total of 412 queries
- Jan. 24'- Dec. 24'
 - Total of 551 queries
- Jan. 25'
 - Total of 74 queries

Appeals & Fair Hearings



- April 23'- Dec. 23'
 - 3 Admin Reviews
 - 5 Fair Hearings
- Jan. 24'- Dec. 24'
 - 7 Admin Reviews
- Jan. 25'
 - 1 Admin Review withdrawn
 - 1 Admin Review held
 - 1 Admin Review pending

Common Themes of Appeal:

Appeals:

- Case Closure
- Seeking funding for book/supplies related to higher ed or training
- Seeking funding for tuition and room/board at college.
- Would like more driving lessons.

Fair Hearings:

- Case Closure
- Funding for training/ or institute of higher education.
- Amendments to IPE



Common CS Calls to the Ombudsman

- Complaint:
 - Processes are slow.
 - Feeling their needs aren't being met.
 - Upset with their counselor or would like a new one.
 - Unsatisfied with vendors or JPS support.
- Communication issues:
 - Hasn't heard from counselor for a few months.
 - Counselor was transferred and wasn't assigned new one.
 - Counselor is not hearing their needs.



Resolving Issues:

- Ombudsman host meetings individually with participants to listen to concerns.
- Communicates needs with Career Services counselor.
- Creates engagement plans with participants and counselors
- Creates communication plans with participants and counselors
- Connects to other programs and resources
- Assists in managing expectations.



Client Assistance Program

Naomi Goldberg

About the **Client Assistance Program (CAP)**

- Provided by the MA Office of Disability (MOD)
- CAP provides information and advocacy for people with disabilities who want:
 - **Vocational rehabilitation (VR) services** from
 - the MassAbility (MBY) and/or
 - the Massachusetts Commission for the Blind (MCB), or
 - **Independent living (IL) services** from Independent Living Centers

CAP Advocates

- Informs applicants and consumers about their rights and responsibilities under state and federal regulations that apply to VR and IL services
- Provides advocacy and appeal representation to help individuals get the VR and IL services for which they are eligible
- Educates the public about disability-related employment rights



Communicating with CAP

- Any applicant to or consumer of VR can contact CAP to ask a question or raise a concern
- CAP will only reach out to VR with permission and a signed release. Otherwise, the contact is confidential
- CAP's first step is to identify the barrier to getting proper services and to clarify VR's obligations within the context of the issue that has been raised
- If/how CAP will assist in any situation will depend on the particulars of the situation

Types of Assistance offered by CAP:

- Understanding VR eligibility rules and navigating the process
- Challenging a priority category
- Negotiating the employment goal in consideration of a client's informed choice
- Drafting an employment goal to help a consumer get the right VR services
- Draft or amend an IPE
- Facilitate communication between consumer and VR to resolve disputed issues
- Represent clients in informal negotiations and/or formal appeals if CAP determines that the action may be out of compliance with the requirements of the VR regulations

DATA – Inquiries FY24

- 214 inquiries about the subject of VR
 - Informing individuals about VR services
 - Discussing specific VR issues/case but does not result in a request for direct assistance
 - Orienting a consumer to VR process
 - Expectation setting
 - Suggestion for addressing an issue
- 50 ongoing cases with VR consumers at MassAbility



Appeals & Fair Hearings

FFY24 Closed CAP Cases – (including cases that were open in FFY23)

- 4 Admin Reviews
- 0 Fair Hearings

Themes

- Case closure
- Funding for physical restoration services
- Funding for college room and board
- Funding to attend private school

CAP routinely negotiates solutions that result in avoiding the appeal process

Common Calls to CAP

A consistent theme with all callers is a lack of understanding of how VR works

- VRC not placing me in a job
 - Dislike VR counselor
 - VRC does not agree to pay for a service
 - Difficulty funding a particular service due to procurement rules
 - Delays in payment
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- IPE and employment goal
 - Understanding of job placement
 - VR's focus on employment vs. case coordination
 - General expectations
 - Consumer responsibilities



Questions!?