

## **August 3, 2023 minutes**

### **Rehabilitation Council**

#### **Policy Committee**

11:00 am– 12:30 pm

#### **Attendees:**

- SRC Members: Naomi Goldberg (Committee Chair), Sarah Wiles (Ex-Officio), Liz Fancher, Inez Canada, Rosanna Woodmansee, Kevin Goodwin (Ex-Officio)
- MRC staff: Amy Karr

Please Note: This meeting was held remotely.

The meeting was called to order at 11:01 am.

#### **1. Introductions**

#### **2. Approval of June 2023 minutes:**

Ms. Goldberg asked whether there were any corrections to the minutes. The June 2023 minutes were approved with no corrections.

#### **3. Final Review of Draft Fact Sheets**

Ms. Goldberg shared the fact sheets in the chat. **(See Draft Due Process and Appealing VR Decisions with CAP.doc, draft fact sheet – IPE.doc, and draft fact sheet – IPE.doc.)**

There was a discussion about how the MRC will use the fact sheets. Ms. Goldberg will send the fact sheets to the full SRC and ask for comments by a certain date. MRC can choose if and how to use them. When the fact sheets are sent to MRC, there will be a request that MRC distribute them to consumers, perhaps by sharing with vocational rehabilitation (VR) counselors and posting on the MRC website. The hope is that MRC will use the fact sheets. To make sure the sheets are available, it was suggested that links to the fact sheets be added under the description of the Policy Committee on the SRC website. There is a link to the SRC website on the MRC website. The SRC does not need permission from MRC to post the fact sheets on the SRC website. The Client Assistance Program (CAP) is considering including these facts sheets on the CAP page on Massachusetts Office on Disability's (MOD) website." The goal is to get the information to consumers.

The Policy Committee has finished working on its assigned recommendations. Part of the role of the committee is to review policies. A policy related matter could arise at any time where MRC could ask the committee to review something on behalf of the SRC.

It was suggested that the Policy Committee meet about the Bylaws. Sahara Defensor is updating the Executive Order, and the Bylaws must be updated for that. Ms. Defensor will create a draft of the revised Bylaws, but the timeline for that is uncertain. The Bylaws will eventually be provided to the full SRC, but it may be advisable for the Policy Committee to meet about the Bylaws.

#### 4. Review of Appeal Decisions

Twice a year the Policy Committee will receive from MRC a summary of the outcome of appeals made by MRC consumers. Reviewing this information can help the SRC see system issues or patterns. Ms. Goldberg shared the document summarizing appeal decisions in the chat. **(See SRC 2022-present adjudication requests.docx.)**

Ms. Goldberg read each issue and how it was resolved. CAP was involved in some of the resolutions. Ms. Canada noted that the resolution of one of her cases was not described accurately.

The results of the cases were discussed. If a person's MRC case is closed that person can work with MRC again; the person may have to demonstrate his or her situation has improved. The regulations do not define how much time must pass between a consumer's MRC case being closed and the consumer reapplying to MRC. It was pointed out that when consumers are successful in obtaining requested equipment, the equipment is necessary to reach their employment goals. That is why the first fact sheet was about the Individual Plan for Employment (IPE); all services a consumer receives stem from the IPE. There is a current shortage of Fair Hearing officers.

Regarding the content of this information, it was suggested that for cases in which CAP was not involved to indicate that the consumers were told about the availability of CAP assistance and about possible higher levels of appeal. After administrative review, is MRC proactive about telling consumers about available higher levels of appeal? When working with consumers VR counselors are supposed to tell consumers about CAP, and suggest that consumers having difficulty contact CAP. VR counselors cannot give a consumer's name to CAP, the consumer must contact CAP. Information about CAP and higher levels of review may be at the bottom of the administrative review decision letter, but not all consumers may read that.

It may help to know why decisions were made, but not sure if can request more information from MRC. Would need to ensure that confidentiality is protected if more information is provided. It was suggested that perhaps there could be a meeting with Sahara Defensor to see whether she can assist with this. Perhaps we can request redacted hearing decisions. CAP is aware that MRC will eventually use a new standard template for issuing administrative review decisions. This will ensure that certain standard information is included in every decision such as the subject of the case, the positions of both the consumer and MRC, and the rationale for the decision. Maybe it would be easier for the ombudsman to redact the full decisions and share the with the SRC. Consumers need to know why their requests were denied if they want to appeal further. Often denials are the result of a lack of information. That is a reason why it is helpful for consumers to work with advocates. Sometimes a service may be allowed if the employment goal is changed. Or perhaps a service can be obtained elsewhere and not through MRC. Sometimes consumers have to show they approached other agencies and were denied before MRC will pay. Even without complete information members can see that consumers can ask for many things depending upon their employment goals. This helps provide context.

There was discussion about how this information should be shared with the full SRC. One suggestion was to have the ombudsman note trends at a full SRC meeting. It was suggested that during the Policy Committee report at a Quarterly meeting Ms. Goldberg can share a few decisions and encourage members to attend Policy Committee meetings to see more decisions. A goal may be to turn trends into recommendations for MRC.

## **5. Other input**

A question was asked about whether the current SRC Bylaws mention term limits. The Bylaws do describe term limits, but the SRC has not been abiding by them because Boards and Commissions had said it was not necessary. Ms. Defensor will probably clarify this in the updated Bylaws. It will never be possible to be reappointed to the SRC (after serving two 3 year terms) unless a person takes 3 years off from the SRC. Those who no longer have a current appointment can always attend and give feedback. Feedback is always welcome. They just cannot vote at Quarterly meetings. The only things the SRC votes on are the budget and elected offices.

The next Policy Committee meeting is on October 5 at 11:00 am.

The meeting was adjourned at 12:11 pm.