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STATE LEADERSHIP AND INNOVATION IN DISABILITY EMPLOYMENT

HEARING

OF THE

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

UNITED STATES SENATE

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

ON

EXAMINING STATE LEADERSHIP AND INNOVATION IN DISABILITY EMPLOYMENT

FEBRUARY 26, 2013

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STATE LEADERSHIP AND INNOVATION IN DISABILITY EMPLOYMENT

TUESDAY, FEBRUARY 26, 2013

U.S. SENATE,
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,
Washington, DC.

The committee met, pursuant to notice, at 2:35 p.m., in room SDG–50, Dirksen Senate Office Building, Hon. Tom Harkin, chairman of the committee, presiding.

Present: Senators Harkin, Murray, Murphy, Warren, Baldwin, Hatch, and Alexander.

OPENING STATEMENT OF SENATOR HARKIN

The CHAIRMAN. The Committee on Health, Education, Labor, and Pensions will please come to order. Today the committee will examine leadership and innovation on the part of States in the field of disability employment.

The topic and timing of today's hearing are inspired by the leadership of Governor Jack Markell of Delaware, who in his role as chair of the National Governors Association has made boosting employment outcomes for Americans with disabilities his signature initiative. This past weekend at the NGA mid-winter meeting, Governor Markell and NGA vice-chair, Governor Mary Fallin of Oklahoma, led two discussions with the other Governors in attendance designed to share best practices and highlight State level innovations and public-private partnerships that can be replicated across the country.

During the last Congress, this committee focused significant attention on the goal of boosting disability employment. We held a series of bipartisan hearings and roundtables and issued a chairman's report last July titled "Unfinished Business: Making Employment of People with Disabilities a National Priority." I want to thank Senator Enzi and other members of the committee who pitched in on advancing this bipartisan priority.

In that July report, we noted that labor market participation rates for working age Americans with disabilities had not improved in any significant way since the late 1980s, and that the number of individuals with disabilities in the workforce had shrunk by about a million workers, from 5.8 million to 4.8 million, during the recent economic downturn. This decrease, on a percentage basis, was five times greater than the impact of the recession on workers without disabilities.

I have set the committee's sights on a twin goal to make up the ground we have lost since 2008 and to increase the size of this workforce to at least 6 million by 2015. I am grateful that the U.S.

Chamber of Commerce has endorsed that goal. And during this new Congress, I look forward to working with Senator Alexander, our new Ranking Member, and my fellow members on this committee as well as stakeholders in the business and disability communities to achieve this goal as we seek to grow the economy and expand opportunities for all Americans to join the middle class.

I just might point out we're in 2013. We have until 2014, so we have only 2 years to go to reach that 6 million goal.

As we noted in the July report, States can play a huge role in helping boost disability employment outcomes. In fact, it's worth pointing out that at a time when the national employment rate for 18 to 64-year-olds with disabilities was 32.6 percent, according to 2011 numbers from the U.S. Census Bureau, the range in employment rates at the State level went from a low of 24.3 percent in West Virginia to a high of 49.8 percent in North Dakota.

This variation among the States was most recently documented by the Institute on Disability at the University of New Hampshire. And I will submit a summary of the institute's findings into the record so that members of this committee can see how their own States compare.

[The information referred to follows:]

Table 2.1: EmpLoyment—Civilians With Disabilities Ages 18 to 64 Years Living in the Community for the United States and States: 2011

State	Total	Employed	
		Count	Percent
U.S.	19,988,156	6,521,860	32.6
AL	433,042	114,848	26.5
AK	44,003	18,158	41.3
AZ	375,002	122,867	32.8
AR	268,822	84,720	31.5
CA	1,879,561	590,531	31.4
CO	281,930	116,804	41.4
CT	185,373	70,687	38.1
DE	55,773	20,051	36.0
DC	36,735	11,025	30.0
FL	1,131,661	330,657	29.2
GA	663,904	196,757	29.6
HI	63,025	21,886	34.7
ID	100,818	36,605	36.3
IL	659,300	225,864	34.3
IN	459,135	156,024	34.0
IA	168,942	70,216	41.6
KS	181,978	77,113	42.4
KY	421,076	107,586	25.6
LA	384,372	124,345	32.4
ME	108,156	33,985	31.4
MD	305,903	113,541	37.1
MA	373,361	118,518	31.7
MI	749,714	216,619	28.9
MN	270,050	115,040	42.6
MS	264,876	77,680	29.3
MO	449,310	146,338	32.6
MT	67,840	29,177	43.0
NE	93,933	42,034	44.7
NV	166,295	60,374	36.3
NH	77,941	28,694	36.8
NJ	412,949	145,510	35.2
NM	147,060	47,125	32.0

Table 2.1: EmpLoyment—Civilians With Disabilities Ages 18 to 64 Years Living in the Community for the United States and States: 2011—Continued

State	Total	Employed	
		Count	Percent
NY	1,062,862	332,740	31.3
NC	687,820	204,522	29.7
ND	33,678	16,788	49.8
OH	816,572	265,017	32.5
OK	322,232	113,834	35.3
OR	279,001	95,248	34.1
PA	862,369	279,458	32.4
RI	64,693	19,799	30.6
SC	351,739	94,592	26.9
SD	47,498	22,825	48.1
TN	546,248	152,788	28.0
TX	1,572,066	580,472	36.9
UT	133,893	54,126	40.4
VT	41,854	15,169	36.2
VA	458,657	153,089	33.4
WA	457,528	160,888	35.2
WV	198,721	48,218	24.3
WI	327,040	126,657	38.7
WY	36,302	17,347	47.8
PR	405,543	96,904	23.9

Source: U.S. Census Bureau, 2011 American Community Survey, American FactFinder, Table B18120; ***<http://factfinder2.census.gov>***; (accessed 24 September 2012). Based on a sample and subject to sampling variability.

Table 2.9: EmpLoyment Gap—Civilians Ages 18 to 64 Years Living in the Community for the United States and States, by Disability Status: 2011

State	Employment rate (percent)		Gap (percent pts)
	Disability	No disability	
U.S.	32.6	72.8	40.2
AL	26.5	70.2	43.6
AK	41.3	75.3	34.0
AZ	32.8	69.9	37.1
AR	31.5	72.3	40.8
CA	31.4	69.5	38.1
CO	41.4	76.3	34.8
CT	38.1	76.2	38.1
DE	36.0	74.5	38.6
DC	30.0	71.5	41.5
FL	29.2	70.6	41.4
GA	29.6	70.4	40.7
HI	34.7	74.4	39.7
ID	36.3	73.1	36.8
IL	34.3	73.3	39.0
IN	34.0	74.0	40.0
IA	41.6	80.7	39.1
KS	42.4	78.9	36.5
KY	25.6	72.0	46.4
LA	32.4	72.0	39.7
ME	31.4	78.1	46.7
MD	37.1	77.3	40.2
MA	31.7	76.9	45.2
MI	28.9	70.2	41.3
MN	42.6	80.2	37.6
MS	29.3	68.6	39.2
MO	32.6	75.6	43.1
MT	43.0	76.5	33.4
NE	44.7	81.5	36.7
NV	36.3	71.3	35.0
NH	36.8	79.5	42.7

Table 2.9: EmpLoyment Gap—Civilians Ages 18 to 64 Years Living in the Community for the United States and States, by Disability Status: 2011—Continued

State	Employment rate (percent)		Gap (percent pts)
	Disability	No disability	
NJ	35.2	73.9	38.7
NM	32.0	69.7	37.7
NY	31.3	72.1	40.8
NC	29.7	71.8	42.1
ND	49.8	83.7	33.9
OH	32.5	74.1	41.7
OK	35.3	74.8	39.5
OR	34.1	71.0	36.9
PA	32.4	74.3	41.9
RI	30.6	76.3	45.7
SC	26.9	70.3	43.4
SD	48.1	81.3	33.2
TN	28.0	72.8	44.9
TX	36.9	73.5	36.6
UT	40.4	75.1	34.7
VT	36.2	80.0	43.8
VA	33.4	76.0	42.6
WA	35.2	73.3	38.1
WV	24.3	69.2	44.9
WI	38.7	78.7	39.9
WY	47.8	80.1	32.3
PR	23.9	52.7	28.8

Source: U.S. Census Bureau, 2011 American Community Survey, American FactFinder, Table B18120; <***http://factfinder2.census.gov***>; (accessed 24 September 2012). Based on a sample and subject to sampling variability. The complete document may be found at ***http://disabilitycompendium.org/***.

The CHAIRMAN. Today we'll hear from four States that are doing better than the national average on this issue: Delaware, Washington, Oklahoma, and Utah. In addition, because Governor Markell of Delaware has been engaged since last July in a discussion with other Governors, his testimony will give us an opportunity to learn about best practices from a number of other States that have been a part of his NGA chair's initiative.

As this committee works to improve employment opportunities for all Americans, we must remember our citizens with disabilities, including our wounded warriors, and ensure that they have access to the same opportunity to be a part of the American workforce, the same opportunity to pursue the American dream, as their friends and their neighbors.

I now invite my colleague, our new Ranking Member of the HELP Committee, Senator Alexander, for an opening statement.

OPENING STATEMENT OF SENATOR ALEXANDER

Senator ALEXANDER. Thank you, Mr. Chairman.

Governor and distinguished attendees at our hearing today, we're glad you all are here. I have three things I'd like to say. First, to Chairman Harkin, who has announced that after a couple more years he'll be retiring from the Senate—I'd like to salute him for his nearly 40 years in Congress addressing the challenges of many Americans with disabilities. He helped sponsor and pass the Americans with Disabilities Act, the Individuals with Disabilities Act, the Assistive Technology Act, and the Vocational Rehabilitation Act.

A lot of his work is a tribute to his late brother. He has pioneered in policy. It has been his focus. And when he's rocking on his porch in Iowa thinking back over what he has accomplished, I'm sure his work for Americans with disabilities will be one of the things that we remember most about Tom Harkin.

Second, to the Governor and to Chairman Harkin. I really am delighted with the way you're approaching this. Sometimes in Washington, we come up with a big idea and say, "Well, now, let's make everybody do it." Another way to do it is to create an environment in this big complex country where States, communities, and the private sector can succeed. And that's the approach that you're taking today, Mr. Chairman, and I admire it.

I know something about the National Governors Association. I was chairman of it in 1985 and 1986. I had a precocious young Governor from Arkansas named Bill Clinton who was the vice chairman. And that was the first year that we had selected a single subject—that year, it was education—to focus on for the entire year, getting all of the Governors involved in some way toward that goal.

I think when the NGA was founded—and I think it was by Teddy Roosevelt, who must have been so busy he didn't have time to do anything else—they focused on a single subject. I think it might have been railroads. But this idea of focusing the attention of all the Governors on a single subject is a terrific tactic—the way our country works—for expanding the goal that Senator Harkin announced earlier, which is how we can help more Americans with disabilities find employment.

Involving the private sector makes a difference. And if you'll permit one personal example, I remember the last year I was Governor, my Commissioner for Human Resources, whose name was Marguerite Sallee, came to me and said, "I have an idea for worksite daycare. Let's just ask employers in Tennessee to provide 1,000 worksite daycare sites," a lot like what you're talking about, Governor. Let's ask employers to do thus and so involving disabilities.

And I was busy and didn't have much time to do it, so I said OK. But we did that, and they produced 2,000. In other words, they did twice as much as we had asked. Then after we got out, we saw the need for the idea of worksite daycare. And she and Captain Kangaroo and I and my wife and another founded a company, which was called Corporate Child Care, and we helped companies provide worksite daycare centers. That has now merged with Bright Horizons, and it is the largest such company in the world providing worksite daycare—so ideas that we can create an environment and that Governors can encourage and spread the message and even create private sector opportunities.

The last thing Mr. Chairman, is just an example of the kind of person we might be talking about today. And I think of a friend of our family, whose name is Jack. He was born with fragile X syndrome. He has an IQ of about 55. His mother considers him to be an individual of high functioning skills, but he does need help and assistance at times.

He's had some good help in schools, a Montessori school in the Montgomery County Schools, a residential high school in New York. He's had different jobs as a bus boy. He worked at a grocery

store. He finally got connected with a company—I don't know if it's profit or nonprofit—called Service Source that provides training to individuals with intellectual disabilities and matches them to the needs and skills.

He started at one place, at the Air and Space Museum. That didn't work out. Now, he's employed at the Marine Corps barracks as a mess attendant. He's been there 10 years and thinks it's the right fit. It's a success story. He enjoys getting a paycheck and likes to contribute to his living expenses. The company provides a way to get him back and forth from home to there.

So in our big, resourceful, enterprising country, we perhaps can help create an environment in which you, the Governors, and the private sector in our country can reach the goal that Senator Harkin has spent his years in Congress hoping that our country reaches. I look forward to learning from you today.

The CHAIRMAN. That was excellent. And thank you for your kind words. I appreciate that very much.

My good friend, Senator Orrin Hatch.

STATEMENT OF SENATOR HATCH

Senator HATCH. Well, thank you, Mr. Chairman. I remember those days when you and I stood on the floor on the Americans with Disabilities Act and passed it and how we both broke down and cried afterwards after we went outside and saw all the wonderful people who were so pleased that that bill was finally passed, and I've been proud of your work ever since.

And, of course, naturally, I'm proud of the distinguished Senator from Tennessee. He's been a mentor to me and a great human being in my life.

But in 1981, I established my Utah-based advisory committee on disability issues to partner with all Utah stakeholders committed to disability policy. The committee has maintained an official membership of between 15 to 20 members. In every one of the 30 years since, I've been able to get special advice from my disability advisory committee, special insights, and, of course, input.

And today, I'm very proud to introduce Mr. Don Uchida to the Senate HELP Committee. Don has been serving on my disability advisory committee for many years. He is the executive director of the Utah State Office of Rehabilitation. And because Utah's vocational rehabilitation program has been so successful, I felt Don would be an ideal witness for this hearing on State leadership and innovation in disability employment.

Don pays regular visits to my offices in Utah and here in Washington to dazzle us with how many individuals with disabilities are being successfully trained, retrained, and sustained in employment. Don is so enthusiastic about the program and always comes prepared with data, numbers, pie charts, graphics, ET cetera. But nothing speaks of Utah's successes more than the personal stories of Utah's disabled citizens who are gainfully employed. So I want to give thanks to Utah's VR program.

Now, I don't want to steal any of Don's thunder, because I know he'll be sharing why Utah has one of the most productive and cost-effective programs in the Nation. But I know a lot of that has to do with the strong support of our Governor and our State legisla-

ture, as well, and partnerships with agencies, organizations, and businesses. And, of course, a major part of that success can be attributed to Utah's dedicated rehabilitation staff under Don Uchida's leadership.

It means a lot to me to have him here today. And I won't be able to stay because of my other problems. But it's really an honor to introduce Don Uchida to the committee, and I trust that both of you will treat him well. I don't want to get mad. I'm just kidding.

The CHAIRMAN. He's in safe hands.

Senator HATCH. I know he is.

Let me just say, Don, that these are two of the best people in the Senate. And when it comes to Americans with disabilities, both of them are very compassionate, decent, and honorable leaders, and I, personally, appreciate them.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Hatch. And, again, thank you for your long service both on this committee and in advancing the cause of full integration of people with disabilities. We had the benefit of your service here and your expertise when we developed the Americans with Disabilities Act in the 1980s and passing it in 1990. And you're right that we stood shoulder to shoulder on that, and I appreciate it very much. It's been a great working relationship ever since.

We're going to have two panels. For our first panel, we'll hear from Governor Jack Markell, whom we've talked about as the chair of the National Governors Association. And, as you heard Senator Alexander say—and I didn't know this until I met Governor Markell—when you become the head of the National Governors Association, you get to pick one topic for the entire year and get the other Governors to focus on that.

He dedicated his term to improving employment outcomes for individuals with disabilities through his initiative, quote, "A Better Bottom Line: Employing People with Disabilities." The goal of this initiative is to create a blueprint for businesses and States that identifies best practices and outlines steps to put in place to increase economic opportunity for people with disabilities.

Since being elected in 2008, Governor Markell has worked to improve the economy, improve education, and grow jobs in Delaware. He was re-elected in 2012 with close to 70 percent of the votes cast. How do you do that? I guess you do it by doing a good job.

I have enjoyed working with Governor Markell as part of his NGA chair's initiative. I appreciate his participation in the great summit we had last summer, a CEO summit that Walgreens hosted in Windsor, CT, last June, and also a roundtable that Senator Enzi and I hosted last July. His commitment to boosting disability employment is broadly shared among his fellow Governors, and his initiative, I can tell you, is making a real difference.

We welcome you, Governor Markell, to this committee and we look forward to your comments. And, without objection, your statement will be made a part of the record. Please take whatever time you so desire.

STATEMENT OF THE HONORABLE JACK MARKELL, GOVERNOR OF DELAWARE, DOVER, DE

Governor MARKELL. Thank you, Chairman Harkin, and to you and Ranking Member Alexander, Senator Hatch, Senator Warren, thank you very much for having me today. It's really an honor to testify before you about my initiative as chair of the NGA, which, as you mentioned, is called Building a Better Bottom Line: Employing People with Disabilities. I'll also talk a little bit about some other Governor-led efforts to advance employment opportunities for people with disabilities.

As you mentioned, in July 2012, I became chair of the NGA and began this year-long chair's initiative, which is focused on the role that both State governments and businesses can play in advancing opportunities for individuals with disabilities to be gainfully employed. And before I begin, I very much want to thank this committee, under your leadership, for the role that you've played in advancing employment opportunities for people with disabilities from across the country for a long time.

I also want to thank the Secretary of the Department of Health and Social Services, Rita Landgraf, who is here with me, and the staff of the National Governors Association, which has done a terrific job on this initiative. I also want to thank your staff, and especially Andy Imparato for the great help he has provided as we've tried to think through some of our initiative.

I chose to focus the chair's initiative on employing people with disabilities because I've really seen firsthand the difference that it can make in people's lives. And it really started for me about 10 years ago. I visited what was then MBNA, now Bank of America, which continues to be an important employer in Delaware and including an important employer of people with disabilities. They have 300 people with disabilities employed in our State.

Ten years ago, I visited a site. Many of the people were making promotional materials. I met a guy who was 25 years old. He was making tee shirts. He had Down's Syndrome. And he was extraordinarily excited to have this opportunity to have this job. I asked him what he did before he got the job, and he told me that he had sat at home for 6 years watching TV with his parents.

For me, a light bulb really went off in my head about the profound improvement in his quality of life and the profound improvement in the quality of life for his family, because now he had a reason to get up every day. He had a purpose. He was going to be part of something that was bigger than himself. He was part of a team. He was productive. He even earned a paycheck.

Ever since then, I've been very interested in this issue, and I've had the opportunity to work with Secretary Landgraf, who has really spent her life as an advocate for people with disabilities. And I believe, as chair of the NGA, that this is something that we really could move the needle on across the country.

Everybody who wants to work and participate fully in society should have the opportunity to do so. And research indicates that 67 percent of working age people with disabilities would rather be working than be unemployed and unproductive—not a surprise. And yet at the same time, the United States spends hundreds of billions of dollars a year to support people with disabilities who are

unemployed. The circumstances provide an opportunity for growth and improvement, which is why I chose to focus on employing people with disabilities this year.

Our initiative at the National Governors Association is really designed to do two things. One is to raise awareness of how the untapped talents of people with disabilities can contribute to a business' bottom line. And second is really to define ways that State government and businesses can partner to advance the employment of individuals with disabilities in the labor market.

As you mentioned—and I was grateful for the invitation that you gave me last year to visit at Walgreens, where you and I and Congressman Pete Sessions heard—Senator Blumenthal was there as well—the CEO of Walgreens, Greg Wasson, say to his fellow CEOs of some of the biggest companies in the country that Walgreens was an employer of people with disabilities not because of charity, but because it was the right decision for their business. It was right for the shareholders.

And I think it's really important that that message from one CEO to the next—large businesses, mid-size businesses, and small businesses—gets spread. So we're working with businesses to try to make sure that that message gets shared. Just this past weekend—it really just ended yesterday—at the NGA winter meeting here in Washington, Governors from different regions and different parties shared what their States are doing to advance employment opportunities for people with disabilities.

In our State of Delaware, we are what we call an Employment First State, and that was triggered by my signing of legislation in July. You'll hear later from Jane Boone of Washington State about how Washington, in fact, led the way with these Employment First policies. In Delaware, the legislation requires State agencies that provide services to persons with disabilities to promote as the first option employment in an integrated setting and establishing, essentially, an oversight commission to continuously review the process.

I've also instructed members of my cabinet to form a working group to upgrade State hiring practices and procedures with a focus on advancing recruitment, retention, and career advancement opportunities. And I expect to have that State plan established by early summer.

At the winter meeting, the Governor of South Dakota, Governor Daugaard, shared his State's dedication to developing statewide employment practices as well as Employment First policies. This is a movement to guide policy with the central philosophy that employment is the first priority and is the preferred outcome for people with disabilities.

Employment First policies are not the only things that States are doing. In Connecticut, Governor Dan Malloy told us about an interactive Web portal called ConnectAbility with a mission to bring Connecticut's employers and people with disabilities together through an interactive Web portal. It's supported by partners across multiple sectors, from businesses to advocates to State agencies and a community college.

In Iowa, Governor Terry Branstad shared information about his conversations with you, Senator Harkin, regarding initiatives to in-

crease employment of Iowans with disabilities, and he highlighted the importance of supporting businesses.

There was a great cross-section of Governors, people of both parties. This is, as you know, the ultimate bipartisan issue, and it was great to hear so many Governors share what's going on in their States. You'll hear more from some of the other panelists today about what their States are doing, and I'm proud of the work that my fellow Governors are doing across the country.

I'm also proud of what we're doing in this NGA initiative. We've worked hard to engage directly with a broad cross-section of shareholders to inform the efforts. Since we started this in July, the NGA staff and my staff have taken more than 50 meetings with subject matter experts in the field of disability employment, including some of the businesses that I mentioned who employ people with disabilities. We've talked to researchers, providers, policymakers, and, very importantly, self-advocates. This has been a really important and valuable part of the conversation, people who can really speak from experience.

Everyone may speak with a different voice. They may come from different parts of the country, and they may have different views. But I've learned three key things or lessons that consistently come into these conversations. No. 1, employers don't care about labels. They care about skills. The focus has to be on the ability rather than the disability. And people with disabilities need to be part of the mainstream workforce right along with people without disabilities.

No. 2, when businesses hire people with disabilities, they benefit not only in their bottom line, as I mentioned a few minutes ago with respect to Walgreens, but they also experience significant improvements in their own corporate culture. This is true for small businesses as well as large national companies. It's true for the entire spectrum of industries, from manufacturing to entrepreneurship to STEM fields. We heard from a Baltimore area window and door company the other day who talked about this in a very compelling fashion.

And, No. 3, the path forward is one of shared responsibility. As Ranking Member Alexander mentioned, this is not about something that government is doing to business. It's really about an opportunity that businesses and government see together to improve the bottom line of these businesses and to provide more opportunities for people with disabilities.

Congress has a role to play. So as Governors continue to push action and innovation to advance employment opportunities for people with disabilities, we believe that Congress can help. States need to have the flexibility to be innovative in order to support businesses in advancing these employment opportunities.

Governors would really value your leadership in supporting what we call flexible federalism, like the Workforce Investment Act 15 percent set-aside, in order to continue innovating so we can effectively serve people with disabilities and the businesses who serve them. For years, States relied on this 15 percent WIA set-aside to support and to seed innovations that allow us to partner with industry, attract new business, upgrade the skills of our current

workforce, and better serve constituents, for example, who rely on America's Job Centers.

Washington State used the 15 percent set-aside to support a business that employs people with disabilities. So we would love to see your continuing support of that set-aside.

We also believe that Congress should prioritize and modernize the Workforce Investment Act. It's been well over a decade since Congress revised the law. Much has changed in the work place, much has changed in business, and much has changed as evidenced by this incredibly high-tech modern economy that we're all living in. We're learning a lot, and the ability for States to innovate in their own unique set of circumstances will always yield the best outcomes for individuals and the best lessons for other States.

The success on this effort, we believe, really depends upon the shared passion and commitment that we see across so many diverse sectors of society. It has been heartening to see advocates, researchers, business people, individuals, and government officials across political parties and across all regions of the country come together to support this initiative and advance progress on this topic.

I really believe that we can make a profound difference in the quality of life of so many people across the country with disabilities and their families when we work together. So I very much appreciate the opportunity to be with you today.

[The prepared statement of Governor Markell follows:]

PREPARED STATEMENT OF THE HONORABLE JACK MARKELL

SUMMARY

WELCOME AND OVERVIEW OF THE NGA INITIATIVE

Before I begin, I'd like to thank this committee, under the leadership of Senator Harkin, for the leadership role you have played in advancing employment opportunities for people with disabilities across the country.

Chairman Harkin, Ranking Member Alexander and distinguished members of the Senate HELP Committee, on behalf of the National Governors Association (NGA), it is an honor to testify before you today about my initiative as Chair of NGA, *A Better Bottom Line: Employing People with Disabilities* and other Governor-led State efforts to advance employment opportunities for people with disabilities.

In July 2012, I became Chair of NGA and began a year-long Chair's initiative focused on the role that both State government and business can play in advancing opportunities for these individuals to be gainfully employed in the competitive labor market.

WHY THIS TOPIC?

I chose to focus the NGA Chair's Initiative on employing people with disabilities because I have seen firsthand the difference it can make in people's lives.

About 10 years ago, I visited a company in Delaware and met a young person with a disability working there. It was clear that the young man was passionate about his job and glad to be there. When I asked the young man what he did before, he said he sat at home with his parents. It was that moment when a light bulb went off for me: employment for that individual was not only benefiting the company he works for; it was significantly improving the quality of life for him and his entire family. Ever since, I have been interested in the topic of employing people with disabilities.

Everyone who wants to work and participate fully in society should have the opportunity to do so.

Research indicates that 67 percent of working-age people with disabilities would rather be working than be unemployed and nonproductive. Yet, the United States spends an estimated $300 billion annually to support people with disabilities who

are unemployed. The circumstances provide an opportunity for growth and improvement, which is why I chose to focus on employing people with disabilities this year.

GOALS OF THE INITIATIVE

The NGA initiative is designed to do two primary things:

(1) raise awareness of how the untapped talents of people with disabilities can contribute to a business' bottom line; and

(2) to define ways both State government and business can partner to advance the employment of individuals with disabilities in the competitive labor market.

WHAT ARE STATES DOING?

Last weekend at the NGA Winter Meeting here in Washington, DC, Governors from different regions and different parties shared what States are doing to advance employment opportunities for people with disabilities.

In Delaware, we are now an Employment First State since my signing of this most significant legislation in July. You'll hear later from Jane Boone on the panel today about how Washington State led the way with Employment First policies. In Delaware, this legislation requires State agencies that provide services to persons with disabilities to promote, as the first option, employment in an integrated setting and established an Employment First Oversight Commission to continuously review the progress. In addition, I have instructed members of my Cabinet, to form a workgroup to upgrade State hiring practices and procedures with a focus on advancing recruitment, retention and career advancement opportunities for individuals with disabilities and have asked each to lead by example. I expect to have the State plan established by early summer.

At the Winter Meeting, Governor Dennis Daugaard shared South Dakota's dedication to developing statewide employment strategies as well as employment-first policies. Employment first is a movement to guide policy, with a central philosophy that employment is the first priority and preferred outcome for people with disabilities.

It's not just Employment First policies that States are adopting to advance employment opportunities. States are partnering across sectors and directly with business. For example, **Connecticut** Governor Dannel Malloy told us about an interactive Web portal "ConnectAbility" with the mission to bring Connecticut's employers and people with disabilities together through an interactive Web portal. The project is supported by partners crossing multiple sectors—from businesses to advocates to State agencies and a community college.

Iowa Governor Terry Branstad shared information about his conversations with Senator Harkin regarding initiatives to increase employment among Iowans with disabilities, and highlighted the importance of supporting businesses—saying that the State's approach is cross-agency, collaborative, and outcomes-based in effort to make it easy for business to find talented workers with disabilities to join their companies.

The cross-section of Governors who shared their best practices during the NGA Winter Meeting underscores the response from Governors has been tremendous across different regions and parties.

You'll hear more from the other panelists today about what States are doing to lead the way.

I'm proud of the work of my fellow Governors to help make sure people with disabilities are part of the competitive workforce and fully included in society.

THE PATH FORWARD AND LESSONS LEARNED

I am also proud of the work we're doing with the NGA initiative. We have worked hard to engage directly with a broad cross section of stakeholders to inform the initiative's efforts.

Since the initiative began in July, NGA staff and my staff have taken more than 50 meetings with subject matter experts in the field of disability employment, including the businesses who employ people with disabilities, providers, researchers, policymakers, and—importantly—self-advocates, who speak from experience with disabilities.

While everyone speaks with a different voice, from different parts of the country, and certainly different views: I've learned three key things or "lessons" that consistently pervade our conversations.

1. Employers don't care about labels, they care about skills. People with disabilities need to be part of the mainstream workforce, right alongside people without disabilities.

2. When businesses hire people with disabilities, they benefit in their bottom line and also report improvements in their culture. This is true for small businesses as well as large national corporations. It's true for the entire spectrum of industries—from manufacturing to entrepreneurship to STEM fields.

3. The path forward is one of shared responsibility—it's a path that business, government, and families are going to chart together.

WHAT CAN CONGRESS DO?

As Governors continue to push action and innovation to advance employment opportunities for people with disabilities, Congress can help. States need to have the flexibility to be innovative in order to support businesses in advancing employment opportunities for people with disabilities.

RESTORE THE 15 PERCENT SET-ASIDE

Governors will need your leadership to support flexible federalism, like the Workforce Investment Act (WIA) 15 percent set-aside, in order to continue innovating so we can effectively serve people with disabilities and the businesses who hire them.

For years, States have relied on the 15 percent WIA set-aside to support and seed innovations that allow us to partner with industry, attract new businesses, upskill our current workforce, and better serve our constituents who rely on America's Jobs Centers.

State Example: Washington used 15 percent set-aside to support a business who employs people with disabilities.

• Washington State used the set-aside funds to allow the Governor's office to facilitate a partnership across the public and private sectors to attract a new manufacturer, Profile Composites, to the State. **The British Columbia based company—which makes collapsible wheelchairs, sport crutches and other assistive products—is committed to hiring veterans and individuals with disabilities and is designing its training and manufacturing facilities to accommodate all levels of physical ability.**

• A $100,000 investment of WIA set-aside funds will go toward workforce recruitment and integrating the company's training with established college degree and certificate programs. The company is investing $10.4 million to build the facility and establish its training programs, creating at least 200 jobs.

As you can see, the 15 percent set-aside is a valuable tool for States. But since 2008, funding for this flexible, innovative fund has been reduced by nearly 70 percent. In fiscal year 2010, the cut to State set-aside dollars from 15 percent to 5 percent hurt States' ability to serve our workers, including workers with disabilities. I want to thank Senator Harkin and this committee for your work to restore the set-aside. What is really needed from Congress now is a restoration of the full 15 percent.

PRIORITIZE AND MODERNIZE WIA

Congress must also prioritize and modernize the Workforce Investment Act. It's been well over a decade since Congress revised this law. Much has changed in the work place, much has changed in business, and much has changed as evidenced by today's modern, high-tech economy. We are also learning much. The ability for States to innovate in their own, unique set of circumstances will always yield the best outcomes for individuals, and the best lessons for other States.

CLOSING

Success depends on the shared passion and commitment that we see across so many diverse sectors of society. It has been heartening to already see advocates, researchers, businesses, individuals and government officials across the political parties and all regions of the country come together to support the NGA initiative and advance progress on this topic. Together, we can continue to make a difference so that persons with disabilities have the same opportunities as everyone else.

Chairman Harkin, Ranking Member Alexander and distinguished members of the Senate HELP Committee, on behalf of the National Governors Association (NGA), it is an honor to testify before you today about my initiative as Chair of NGA, *A Better Bottom Line: Employing People with Disabilities* and other Governor-led State efforts to advance employment opportunities for people with disabilities.

Before I begin, I'd like to thank this committee, under the leadership of Senator Harkin, for the leadership role you have played in advancing employment opportunities for people with disabilities across the country.

THE NGA CHAIR'S INITIATIVE, A BETTER BOTTOM LINE: EMPLOYING PEOPLE WITH DISABILITIES

In July 2012, I became Chair of NGA and began a year-long Chair's initiative focused on the role that both State government and business can play in advancing opportunities for these individuals to be gainfully employed in the competitive labor market.

I chose to focus the NGA Chair's Initiative on employing people with disabilities because I have seen firsthand the difference it can make in people's lives. About 10 years ago, I visited a company in Delaware and met a young person with a disability working there. It was clear that the young man was passionate about his job and glad to be there. When I asked the young man what he did before, he said he sat at home with his parents. It was that moment when a light bulb went off for me: employment for that individual was not only benefiting the company he works for; it was significantly improving the quality of life for him and his entire family. Ever since, I have been interested in the topic of employing people with disabilities.

Everyone who wants to work and participate fully in society should have the opportunity to do so. Research indicates that 67 percent of working-age people with disabilities would rather be working than be unemployed and nonproductive. Yet, the United States spends an estimated $300 billion annually to support people with disabilities who are unemployed.

The circumstances provide an opportunity for growth and improvement, which is why I chose to focus on employing people with disabilities this year.

The NGA initiative is designed to do two primary things: (1) raise awareness of how the untapped talents of people with disabilities can contribute to a business' bottom line and (2) to define ways both State government and business can partner to advance the employment of individuals with disabilities in the competitive labor market.

STATE PRACTICES

Last weekend at the NGA Winter Meeting here in Washington, DC, Governors from different regions and different parties shared what States are doing to advance employment opportunities for people with disabilities.

In Delaware, we are now an Employment First State since my signing of this most significant legislation in July. This legislation requires State agencies that provide services to persons with disabilities to promote, as the first option, employment in an integrated setting and established an Employment First Oversight Commission to continuously review the progress. In addition, I have instructed members of my Cabinet, to form a workgroup to upgrade State hiring practices and procedures with a focus on advancing recruitment, retention and career advancement opportunities for individuals with disabilities and have asked each to lead by example. I expect to have the State plan established by early summer.

You'll hear later from Jane Boone on the panel today about how Washington State led the way with Employment First policies. At the Winter Meeting, Governor Dennis Daugaard shared South Dakota's dedication to developing statewide employment strategies as well as employment-first policies. Employment first is a movement to guide policy, with a central philosophy that employment is the first priority and preferred outcome for people with disabilities.

It's not just Employment First policies that States are adopting to advance employment opportunities. For example, Connecticut Governor Dannel Malloy told us about an interactive Web portal "ConnectAbility" with the mission to bring Connecticut's employers and people with disabilities together. The Web site has a wealth of information for people with disabilities of all ages and employers of all sizes and in all industries who are seeking valuable, qualified workers. The project is supported by partners crossing multiple sectors—from businesses to advocates to State agencies and a community college.

Iowa Governor Terry Branstad shared information about his conversations with Senator Harkin regarding initiatives to increase employment among Iowans with disabilities. The State of Iowa's initiatives are aimed to complement the efforts of business leaders. The State's approach integrates related efforts and resources to demonstrate that a cross-agency, collaborative, outcomes-based approach is the best strategy for success. Governor Branstad highlighted the efforts of private sector

companies like Casey's, Hy-Vee, Walgreens, and Wellmark that have targeted training and skills-building initiatives for individuals with disabilities.

Virginia Governor Bob McDonnell talked about the Executive order he signed last November, which states that it is the policy of the Commonwealth to encourage and enable persons with disabilities, including wounded soldiers, to engage in employment, with the goal of enhancing the employment opportunities for Virginians with disabilities.

In Minnesota, the disability employment efforts are connected to the State's economic development plan. The Pathways to Employment is to increase competitive employment of people with disabilities and meet Minnesota's workforce needs by bringing together people with disabilities, employers, businesses, government and providers.

Kansas Governor Sam Brownback and Kansas' Commission on Disabilities host "Disability Mentoring Day", where students and job seekers with disabilities (mentees) are matched with workplace mentors according to expressed career interests. Mentees experience a typical day on the job and learn how to prepare to enter the world of work.

The cross-section of Governors who shared their best practices during the NGA Winter Meeting underscores the response from Governors has been tremendous across different regions and parties. Since the start of the initiative, Governors and business leaders from all over the country have expressed interest in the topic and support for the initiative. Business leaders from Fortune 500 companies to small businesses have come forward to express their support and share their experiences.

As CEOs of States and businesses, we all have an opportunity to help ensure that all citizens, including those with disabilities, have the chance to engage in productive employment and participate fully in community life. To that end, we have to invest in strategies that result in benefits for these individuals, and in turn, States and businesses.

CHARTING THE PATH FORWARD

Advancing employment opportunities for individuals with disabilities is the right thing to do. It's the smart thing for government to do. And it makes good business sense. I'm so proud of the work of my fellow Governors to help make sure people with disabilities are part of the competitive workforce and fully included in society.

I am also proud of the work we're doing with the NGA initiative. We have worked hard to engage directly with a broad cross section of stakeholders to inform the initiative's efforts. Since the initiative began in July, NGA staff and my staff have taken more than 50 meetings with subject matter experts in the field of disability employment, including the businesses who employ people with disabilities, providers, researchers, policymakers, and—importantly—self-advocates, who speak from experience with disabilities. I am so grateful to everyone we've talked to for their enthusiastic support and valuable insights. In September and October, NGA held two roundtables—one among national advocacy organizations and the other with a broader cross section of experts—with the goal to learn two things:

What is working, and what is the path forward?

While everyone speaks with a different voice, from different parts of the country, and certainly different views: I've learned three key things or "lessons" that consistently pervade our conversations. No. 1, employers don't care about labels, they care about skills. People with disabilities need to be part of the mainstream workforce, right alongside people without disabilities. No. 2, when businesses hire people with disabilities, they benefit in their bottom line and also report improvements in their culture. This is true for small businesses as well as large national corporations. It's true for the entire spectrum of industries—from manufacturing to entrepreneurship to STEM fields. And No. 3, the path forward is one of shared responsibility—it's a path that business, government, and families are going to chart together.

Over the next several months, we will bring together State policymakers and business leaders in two regional summits. The goals of the NGA summits are, first and foremost: to share best practices across States and identify what's already working. The other key goal is to chart the path forward—together. The path forward is one of partnership and shared responsibility across sectors and stakeholders.

In August, NGA will release a blueprint to Governors and businesses capturing best practices and outlining options for carrying the momentum forward. At the end of the initiative, it is my goal to have a clearer picture of how Governors can continue to:

- Educate both private sector and public sector employers about accommodating people with disabilities in the workplace and the benefits of doing so;

• Support State governments in joining with business partners to develop blueprints to promote the hiring and retention of individuals with disabilities in integrated employment in both the public and private sectors; and

• Promote public-private partnerships to build out those blueprints and increase employment of individuals with disabilities.

Much is being learned through our work; and much more can be learned. If our Nation is to be competitive and our economy is to grow, the skills and knowledge of all our citizens must be brought to bear. I'm so proud that Governors are leading these efforts and working to streamline access and training so that employers have a pool of job-ready individuals to draw upon.

As Governors continue to push action and innovation to advance employment opportunities for people with disabilities, Congress can help. States need to have the flexibility to be innovative in order to support businesses in advancing employment opportunities for people with disabilities. Governors will need your leadership to support flexible federalism, like the Workforce Investment Act (WIA) 15 percent set-aside, in order to continue innovating so we can effectively serve people with disabilities and the businesses who hire them.

For years, States have relied on the 15 percent WIA set-aside to support and seed innovations that allow us to partner with industry, attract new businesses, upskill our current workforce, and better serve our constituents who rely on America's Jobs Centers. For example, Washington State used the set-aside funds to allow the Governor's office to facilitate a partnership across the public and private sectors to attract a new manufacturer, Profile Composites, to the State. The British Columbia-based company—which makes collapsible wheelchairs, sport crutches and other assistive products—is committed to hiring veterans and individuals with disabilities and is designing its training and manufacturing facilities to accommodate all levels of physical ability. A $100,000 investment of WIA set-aside funds will go toward workforce recruitment and integrating the company's training with established college degree and certificate programs. The company is investing $10.4 million to build the facility and establish its training programs, creating at least 200 jobs.

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The CHAIRMAN. Governor Markell, thank you for a great statement. Thank you for your leadership on this. I know how busy you are. Thanks for being here today to lead off our discussion.

I, too, was very impressed by that day in Connecticut last summer—CEOs of all these major businesses, and CEO Greg Wasson of Walgreens hosted it. It was interesting, I think, that about half of the people who worked at that distribution center were people with disabilities, and yet it's their most productive center that they have. I think that made a great impression on a lot of people, including me, and it pointed out that with just minor modifications, sometimes people with disabilities are more productive than people without disabilities.

We all have our own stories. I have mine. What kind of got me involved in this many, many years ago was my own brother, Frank,

who was deaf. He was told when he went to deaf school that he could be a baker or an apprentice shoe repair person or something like that. He didn't want to do any of that. So they said, "OK, you're going to be a baker," so he became a baker. He never really liked that.

But one day, just through happenstance, he was hired by Mr. Delavan at a manufacturing plant in Des Moines, IA, or West Des Moines, IA. It was a hold-over from World War II, and they made nozzles for jet engines and had to operate these very intricate little machines and drill these very fine little holes. They had to be very precise. So he hired my brother to do that.

But it was a very noisy place, and people were always distracted by the noises. Noise didn't bother my brother one bit. So once he learned how to run that machine, he was more productive than anybody else that had ever run those machines. And all that Mr. Delavan had to do was put up a little light to signal my brother, Frank, if he needed to stop and converse with someone or to have someone talk to him about something, because he couldn't hear. So he just had a light set there, and if the light turned on red, he stopped what he was doing to see what someone wanted him to do.

Mr. Delavan, based on that, started hiring even more people with disabilities, because he found out that they were actually, with minor modifications in the work place, more productive. I think we saw that up at Windsor, CT, the minor little modifications here and there, and people could do the job.

And I take your comments on WIA, the Workforce Investment Act—I am chagrined and disappointed that we were not able to get it through in the last Congress. I'm committed to work with Senator Alexander. We're going to try it again. It was only held up by a minor problem, and, hopefully, we can get over that hurdle and get the Workforce Investment Act reauthorized so we can get back to that 15 percent set-aside that you mentioned.

Last, I want everyone to know that what we're talking about here is a new structure where the default position of a young person in high school now is not to go into some kind of sheltered employment at subminimum wage, but the default is to go into competitive employment. That ought to be the first thing. That ought to be the first that they go into, and we need training for that. We need internships for young people. We need better voc rehab people working with these young people in schools to get them ready for competitive employment.

The only question I'd have for you is this, because we're talking about private sector employment here. In your discussions with your business leaders in Delaware and perhaps around the country now as head of NGA, what is it that the businesses are telling you that they need that we could do both on a State level and from a Federal level that would move this forward for them to be able to do more, to hire more people with disabilities? What do business people say? What do they need us to do?

Governor MARKELL. In many cases what they're asking for is a more functional system within the States. Instead of, for example, vocational rehabilitation agencies going to the businesses with a list of individuals, saying, "Can you please place these people?", let's think about it from their perspective. Let's go to the busi-

nesses and say, "Can you please help us understand the specific skills that you're looking for and let us go find people with those skills?" The fact is those skills could very well be possessed by people who have some type of disability, and that disability doesn't actually get in the way of them doing a great job using that particular skill.

That's one important learning. Another thing—and it really gets back to what you were just talking about with the young people in schools and what it is that we're preparing them for. And I think you went through a pretty good list. But in addition to the policy piece, there's also an issue of changing the expectations. Too often, what we have heard is that students, young people with disabilities who are in school, are prepared for the time that they turn 17.

Historically, too often, they've been told that when they turn 17, it will be time for them to sign up for one benefit or another, instead of really inculcating from the time that they are young that what they're really being prepared for is a lifetime of work, that there are lots of jobs that they can do. And I think the point that you were just making with respect to making sure that there are internship opportunities and that we partner with the business community—I think, as you said—and you talked about it in the case of Walgreens and their distribution centers.

Walgreens has distribution centers all over the country, and a company that is as sophisticated as they are—they measure every possible metric. And what they, in fact, have found—whether it's the one in South Carolina or the one in Connecticut—is that their distribution centers that have a significant number of people with disabilities tend to perform better. They've got lower turnover. They have less absenteeism. They've got a great work ethic.

The CHAIRMAN. That's right.

Governor MARKELL. I think this is a message that we are working very hard to make sure it gets out, not just from us to the business community, but from the business community to the business community, because if a CEO hears about that from a fellow CEO, we think that can go a long way.

The CHAIRMAN. I shouldn't ask this, but you just rung my bell again when you talked about work ethics. When my brother finally got the job that challenged him—I remember I was in the military, and I came home one Christmas on leave, and I went to his company Christmas party. And he got a gold watch because in 10 years, he hadn't missed 1 day of work or been late once in 10 years. So it's that kind of work ethic, once given the opportunity to do that.

Thank you again. I'm sorry. I took too long.

Senator Alexander.

Senator ALEXANDER. That's one of the advantages of being chairman. You've worked hard to get in that position.

Governor, thank you for being here, and I'm impressed with what you're doing and the way you're doing it. Talk a little bit about the interaction between Federal vocational rehabilitation dollars and the State match, which I understand is about 20 percent of Federal dollars. Are there things we need to do to make that work more effectively?

Governor MARKELL. I mentioned the WIA set-aside, but I think there's a bigger point here, which has to do with workforce development dollars, generally, the wide array of programs and, frankly, the benefit that would accrue if States had more flexibility about how to use them. I mean, my sense is there are many, many different programs, each with their own line items, and, as a result, these programs are often run separately.

If you go back to the example of what I mentioned a moment ago, one of the things we've heard from businesses—they're saying,

> "Please, instead of coming to us with a list of people and asking us to place them, instead come to us asking us what positions we have available and what skills we're looking for."

And if the moneys are more flexible, we can essentially go back—and it's not going to be one visit by the voc rehab people and another visit by another group from the Department of Labor and another group from the Department of Labor.

We can say that we understand that businesses in our State are looking for skilled people, and we have a list of lots of people, some who have disabilities, some who may not have a disability. And what we're really trying to do, particularly these days when we're working so hard to put people back to work—what we're looking to do is say, "OK. Let's go back to all the people that we're serving and find out who has the right skills, whether it's people with disabilities, whether it's people without disabilities." And the more flexibility we have, the better off we'll be.

Senator ALEXANDER. Governor, I mentioned a little earlier the young man, Jack, the example I used, who is successfully employed and has been for the last 10 years. But he had a company that helped place him in first one job and then a second job and, finally, in a third job that worked for that 10 years.

What has your experience been? Have you found nonprofit or for-profit companies useful, or have you found a large number of them who are basically in the business of identifying Americans with disabilities and matching them with employers? I mean, that's something the State does. But is there also room there for nonprofit or even for-profit companies who basically make a business out of making this match work?

Governor MARKELL. Without question, not only is there a place, but I think we need them, because, as you know, government can't do it all ourselves. And we often find that there are valuable partners, whether they're in the for-profit world or the not-for-profit world. But what we need to do is make sure that everybody's incentives are aligned properly, that the system is a functional one.

We're a lot more likely to be successful if we really have a sense of what these skills are that local employers are looking for. And then let's make sure, whether they're for-profit, not-for-profit, or government agencies, that we're all focused on serving that need.

Senator ALEXANDER. Have any of the examples that you've learned from other Governors or in your experience focused on finding better ways to help students, say, high school students with disabilities, transition more easily to the workforce, in other words, start earlier with them in finding ways to find opportunities for them with the appropriate modifications?

Governor MARKELL. I'd say it's three things. First, it is starting earlier with them. Second, when we start earlier with them, it's changing the culture and changing their expectations of what they're going to do with the rest of their lives. And, third, it's about providing the opportunities while they're still in school to have a sense of what that future might actually look like. It's not just about the talk, but, actually, it's about working with local employers to give them a chance, to get them into the workforce.

We've got a partnership with our biggest healthcare system in Delaware that's doing just that, and it's a great training program. It's an opportunity for these young people to learn early on what it means to show up in the workplace, the fact that they are expected not just to show up but they're expected to—you know, how they're supposed to dress, how they're supposed to interact with people.

So much of this comes back to what expectations we have. And, obviously, some people are capable of doing more than others, whether it's intellectually or whether it's physically. But I think part of the responsibility here is for us to help them and help their families figure out what their potential really is and to do everything we can so that there are opportunities to capitalize on that potential.

Senator ALEXANDER. Thank you, Governor.

And thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Alexander. I might just add that—I shouldn't maybe go into this area, but in trying to get rid of No Child Left Behind, we're trying to set up a new structure of career- and college-ready, or career- or college-ready. We never quite decided on that, did we? But the idea being that kids in school, including kids with disabilities—you back down from where they are all the way to grade school and say, "OK. How can we prepare them for college or career?" so that by the time—the expectations are always that they're going to either go on to college or they're going to have some kind of a career in the private sector.

Senator Warren.

STATEMENT OF SENATOR WARREN

Senator WARREN. Thank you very much, Mr. Chairman. It's something to be here with you, Senator Harkin, with Senator Alexander, and earlier with Senator Hatch, truly giants in this field. Your work on the Americans with Disabilities Act is historic and truly changed this country. So thank you. And you will be missed when you go. But I'm glad you're here for 2 more years. We have a lot of work to do.

Also, this is a very personal hearing for me and very important on this work. I taught special needs children as my first real paying job, and I loved the work. And, I have to say teachers who teach special needs kids work hard, and special needs kids work hard. But it was always in the back of my mind—where do they get to go from here for all their hard work?

So a hearing that talks about how we open more opportunities for our young people who have worked for so many years to get themselves into a position where they will be able to do meaningful work is really important. So I commend you for your work, Gov-

ernor, and commend you, Mr. Chairman, for holding this hearing. I also hope, Governor, that you will indulge me if I brag on my Governor from back in Massachusetts.

Governor MARKELL. He is the best.

Senator WARREN. He is pretty terrific, isn't he? Governor Patrick, in the first 90 days after he became Governor, put in executive orders that have resulted in an increase, about a 70 percent increase, in the employment of people with disabilities in the executive branch of government. And I want to talk for just a minute, if I can, about two particular parts of what Governor Patrick did, just so we get some conversation about it.

One of them is that Governor Patrick insisted on mandatory training for all employees in the executive branch so that the issues about employing disabled citizens was something that everyone talked about. And I just wonder if you could talk about that for just a minute.

Governor MARKELL. I think it's a great idea. I mean, it does not surprise me that Governor Patrick is a leader in this field. I mean, he really is extraordinarily effective. So much of this, again, has to do with the culture, the expectations, and how they will be received. And we had just the other day at the NGA hearing the vice president of a company, as I mentioned, that makes windows and doors in Baltimore. I think it's about a 60-employee company, and they've got quite a few people with disabilities.

It's not something that they really intended to do. They thought, window and door places actually can be pretty dangerous with all the glass, and they said this really couldn't work. But they had a very effective advocate who said to give it a shot. And one of the things that they found is that this has made them a kinder company.

When you go to the Walgreens facility in Windsor, CT, that Senator Harkin and I went to, there are signs all over the place making clear that it's not us and them. It is we. And this is a very important learning that the way for this to be successful is that we will learn from each other. I think this idea of the training for all people makes it a whole lot more likely that the people with disabilities will be more successful and that, as a result, the organization as a whole will be successful.

Senator WARREN. Thank you very much, Governor. Can I ask one more question? Governor Patrick also set up a pool of money so that it could be used to help pay for reasonable accommodations when a little change, just as Senator Harkin was talking about, needs to be made. And we understand that everyone is under financial pressure. There was a pot of money to go to be able to make those changes if they would permit the employment of someone who was disabled. Could you comment on that, please?

Governor MARKELL. Well, it's interesting. One of the things that some of the folks talked about at the panel the other day—I mean, certainly, accommodations do need to be made. In the case of Walgreens, which has about 250 employees at the Windsor, CT, facility who have disabilities and another 250 people without disabilities, there they have two job coaches. Now, not every company can afford a job coach. If you're a 10-person company, you may not be able to afford a job coach.

But what one of the companies the other day found is that the accommodations ended up costing maybe $500 per employee, I mean, just not a big deal. They thought it would be a lot. But one of the things that they found—they actually became a safer company when they brought in more employees with disabilities, because they really took a hard look at their processes, and they wanted to make sure that the people with disabilities were not injured. The improvements that they made actually made it safer for everybody else.

The accommodations can vary considerably from place to place. I think it is reasonable to expect that some accommodations may have to be made, but it's also likely, if you really think about how you're doing your business, that it may not be that expensive.

I also appreciate you bringing up the idea of employment in the public sector generally. Our initiative, while largely focused on working with businesses, also recognizes that we as State governments can be model employers as well, and we have to walk the walk. There are lots of opportunities in government, whether it's State, Federal, or local, where we can provide these employment opportunities. I think it's easier, frankly, to go to businesses to encourage them to do the right thing when we can say, "Here are some of the steps that we're taking within our own government and it's working for us."

Senator WARREN. Thank you very much, Governor. Thank you for the pivot to what would have been my third question, but I would have been out of time. Thank you very much for your work, and greetings from Governor Patrick.

Governor MARKELL. Thank you. Give him my best.

The CHAIRMAN. Thank you, Senator Warren.

Now, we'll go to Senator Murphy, Senator Baldwin, and Senator Murray.

Senator Murphy.

STATEMENT OF SENATOR MURPHY

Senator MURPHY. Thank you very much, Mr. Chairman.

I am so glad that you have taken this on as your mission, and I'm equally pleased that both you and Senator Harkin were able to come to Connecticut and see that amazing facility. You've said it better than I could say it, so I won't repeat it.

But it's just good business for Walgreens. They certainly are doing it because they believe it's the right thing. But, as you mentioned, productivity is up, safety has been enhanced, and the accommodations that they have to make are, frankly, stunningly minor compared to what most people would think the accommodations would need to be. It's just a success story that we hope will be repeated. So I'm so glad that you came, and, hopefully, more Governors and more Senators will be able to see it, because it's something that we should be replicating throughout the country.

Governor, I wanted to talk about one subject that is absolutely essential to making sure that these individuals are ready to work, and that's housing. I helped write a bill in the House of Representatives about 3 years ago that reformed the Nation's support of housing laws. And the result of that bill will be that we'll build

about three times as many supportive housing units across the country with Federal dollars.

And even if we do reach this goal of having more private employers picking up disabled workers with these relatively small accommodations, it will likely still fall back on the public sector to help find appropriate housing. What we know is that in supportive housing, that relatively small investment in one individual living in the building who can act in some small measure as a job coach, to sort out any problems that might have happened that day, and to make sure the individual gets to places that they need to get for their different therapies and medicines—that makes the biggest difference in the world.

So I wonder if you might talk about how you see the interaction of appropriate housing for individuals with disabilities play into their employability and how, unfortunately, if we continue down the path of taking supportive housing units offline as budgets get tighter and tighter, it's going to make it a lot harder to actually get a lot of these individuals employment ready.

Governor MARKELL. Thanks for the question. It's about housing. It's about transportation. It's about providing the community supports. And I mentioned earlier that Secretary Landgraf, who is the secretary of Delaware's Department of Health and Social Services, is with us today.

I've been in office just over 4 years now, and she has been spending considerable time since we took office together in January 2009 on this very issue of making sure that people with disabilities and others have the opportunity to live in the least restrictive setting, meaning the community, if that's what they want to do. And that obviously means having an available, affordable supply of housing stock that is close to transportation and close to other services as needed.

This is a difficult thing to do, because you've got to make these investments early enough on. And when you make these investments, you need to make sure that people also have the community supports, like the community support that you just mentioned. So it can be expensive for States at a time when States can't afford a lot of expensive things, because before we start giving people these offerings in the community, you've got to make sure that all of the community supports are available.

We are spending considerable time on this in Delaware. I know a lot of States are doing the same thing. And I have to say I agree with the premise of your question, that we need to make sure—if people are going to be working out in the community and, certainly, living there—that we've got an adequate and affordable supply of good housing stock.

Senator MURPHY. I don't waste a moment to make a pitch for supportive housing because, to me, it's the building block of success. If that individual has a safe place to live in the community with a modicum of support, then that allows them, frankly, to pay back that investment in spades through this private employment model that we're talking about here today. And I appreciate your efforts on all of this.

Governor MARKELL. Thank you.

Senator MURPHY. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Murray. I was going to call on Senator Murray for purposes of—OK.

Senator Baldwin.

STATEMENT OF SENATOR BALDWIN

Senator BALDWIN. Thank you, Chairman Harkin, and I want to add my thanks to you and Ranking Member Alexander for holding this very crucial hearing on State leadership in employment of people with disabilities.

Governor, thank you also for being with us this afternoon. Your work on behalf of the National Governors Association on this important initiative to employ people with disabilities is very encouraging, and I'm delighted to get a chance to learn more.

In preparation for this hearing, I spoke to some of the folks at the Wisconsin Vocational Rehabilitation Division about what's happening in the various States that will be represented on the panel that's following yours. And it wasn't a big surprise to me to know that the Wisconsin DVR has been in close touch with all three States, talking about best practices and sharing innovative ideas.

They consulted with Washington State on motivational interviewing, they consulted with Oklahoma on their cold case unit, and Wisconsin stole Utah's best practices for improving our quality assurance program. All of these across-State collaborations have been very important to Wisconsin's ability to serve individuals with disabilities and, hopefully, to those States they've partnered with over the years.

Governor, how would we best increase the level of collaboration between States and make sure that best practices are available and shared? And how can we ensure that these types of collaborations are sustainable?

Governor MARKELL. Well, thank you for the question. The answer to the first part of the question, only slightly tongue in cheek, is I would encourage—we think we should encourage all the Governors to go to Milwaukee this August when the National Governors Association is going to be having its next big meeting. I'm sure you appreciate the tourism plug.

Senator BALDWIN. No question.

Governor MARKELL. But that's really a big part of this effort in the first place, to get Governors talking to each other, and I was very encouraged just a couple of days ago when we met. We had, actually, two separate meetings on this issue. And I should have said to Senator Murphy that Governor Malloy was very engaged in the conversation. Governor Walker was there the entire time, very focused. We'll be going to Washington State in a few months to Governor Inslee.

We've actually got a couple of institutes coming up. We're calling them Governors Institutes. One is going to be in May in Pittsburgh, the other in May in Seattle. And the NGA is actually making money available to send a few people from each State so that we can have a day and a half of dialog about best practices. We are certainly hoping that Governors show up. And then we'll be following that up, as I mentioned, with the meeting in Milwaukee.

My sense is—and I was speaking earlier to the panelists who are coming on next. Senator Alexander was speaking earlier about

when he was chair of the NGA. That was really when they started this idea of having the organization focus on one initiative for the year. And they generally tend to be on education, healthcare, infrastructure, you know, big important issues.

This is the first time that there's been a focus on people with disabilities. And my guess is it's probably going to be the last time in quite a while. It's a relatively niche issue and, I think, a really important issue. But it's one that hasn't gotten so much attention. And a big reason that I chose this initiative is because I believed that it was tangible enough that it's something that we can move the needle on if we got businesses and States working together.

One of the things that we're especially focused on is the involvement of the business community. For example, Greg Wasson from Walgreens came back the other day, and he spoke to all the Nation's Governors. He and I were speaking about some of the other companies around the country and CEOs with whom he has relationships and the idea of him talking to some of these other executives.

I'm sure I could name companies in each of your States. I mean, you think about Amazon, which has a massive distribution center network, and imagine the power if they did things—and, by the way, Amazon has a big facility in Delaware about which we're thrilled—two of them that we're thrilled about. But imagine the opportunity if CEOs listen to each other and understand this is not just about charity. This is about doing the right thing for their shareholders. It's great for the community.

We're hoping that Governors, their staffs, and businesses working together can figure out best practices and make a commitment to moving forward. So I appreciate the question. And, really, one of the main reasons I chose this initiative was to answer that very question, which is let's get the issue on the table. I mean, Senator Harkin, obviously, has done an incredible job throughout his career at a Federal level of making this a really important issue. We believed that it was time to make sure that States were really following in the lead that he and his colleagues have set out on over these years.

Senator BALDWIN. Thank you.

Governor MARKELL. You're welcome.

STATEMENT OF SENATOR MURRAY

Senator MURRAY. Mr. Chairman, I'll just thank Governor Markell for all of his work on this issue and this is an incredibly important hearing. I know he's been sitting here a long time, and you have another panel, and I want to make sure I have an opportunity to introduce a member of the next panel.

But, Governor, thank you very much for your focus on this.

Governor MARKELL. Thank you.

The CHAIRMAN. Again, Governor Markell, thank you, thank you, thank you for your great dynamic leadership on this. I know that all who are here and watching on C-SPAN can get a sense of your deep commitment to this. And you are moving the needle, believe me. I'm picking it up around the country.

I know about the weekend you just had here. Hopefully, we're going to have another session with Pete Sessions in Texas. We're

thinking about having something, I think, in Delaware, if I'm not mistaken, in May.

Governor MARKELL. Right.

The CHAIRMAN. So things are moving, and I think with the examples that a lot of our private companies have given—we talked a lot about Greg Wasson and Walgreens, but others have stepped in there, too. With the examples that they're showing and the fact that we have the U.S. Chamber of Commerce onboard with their stamp of approval on this, I think we can really make some differences.

And you're right that we can only do so much at the Federal level. The States—that's where you can really make this really happen. And with some of the changes we need to make in voc rehab, in WIA reauthorization, and a couple of other things, I believe we're at this point where we're going to see more and more businesses understand that hiring people with disabilities is not, as you said, a charity. It's best for their business.

Thank you very much, Governor Markell.

Governor MARKELL. Thanks for having me.

The CHAIRMAN. Now we'll call our second panel, Jane Boone, Mike O'Brien, Don Uchida. For the purpose of an introduction, I will first recognize Senator Murray.

Senator MURRAY. Thank you very much, Mr. Chairman, and I am very pleased to introduce one of our next panelists. As everyone here knows, Washington State has one of the most successful efforts to make sure that individuals with disabilities have full access to competitive integrated employment opportunities. It's a commitment that I have strongly supported, and I want to thank the chairman for his continued and passionate leadership on this issue.

Jane Boone, who is here with us, lives in Seattle and currently serves as a consultant with the State Employment Leadership Network. Until this past January, she administered the Jobs by 21 Employment Partnership Project for the Washington State Division of Developmental Disabilities. In that position, she worked at the local, State, and national levels to put in place the collaborative practices, policies, and funding strategies needed for the State and the Nation's workforce of persons with intellectual disabilities to get jobs and earn good wages.

She administered an innovative funding strategy for pilot sites in Washington State so youth with intellectual disabilities could start work in a good job prior to school exit. Before moving to the State level, Jane spent 27 years working in Thurston and Mason Counties, and during her time there, both counties' employment agencies closed their sheltered workshops and changed their business models to offer the support needed for working age adults with disabilities to work and earn real wages with community employers.

Jane, welcome to today's hearing. It's great to have you here. And thank you for all your hard work over many years on this issue. I want you to know we all appreciate very much everything you've done to keep Washington and the United States out in front of providing quality employment opportunities for people with disabilities. It's great to have you here.

Mr. Chairman, thank you for having her as one of your witnesses.

The CHAIRMAN. Thank you, Senator Murray.

We'll start with Ms. Boone, and then we'll go to Mr. O'Brien, and then to Mr. Uchida. If you could sum up within 5 to 7 minutes—I read all your testimonies last night. They're just great, every one of them. And, without objection, they will all be made a part of the record in their entirety. So if you'd just sum it up, then we can get into an exchange. Welcome. Thanks.

STATEMENT OF JANE BOONE, CONSULTANT, STATE EMPLOYMENT LEADERSHIP NETWORK, WASHINGTON STATE, SEATTLE, WA

Ms. BOONE. Thank you so much.

And thank you, Senator Murray, both for the lovely introduction and for your service not only to our great State, but to this country and internationally. It's much appreciated.

Senator Harkin, it is a privilege to be in the same room with you. Your leadership, Senator Alexander's leadership, and the leadership that is coming from our new members—it's just an exciting time to be in the United States and talking about this particular issue. I was asked to speak today about Washington's leadership and what we've accomplished, and I will speak to the accomplishments that we've achieved within the context of the workforce of people with intellectual and developmental disabilities.

Some consider those disabilities to be the most complex because they may be also accompanied by a physical disability. A person can be blind, they can be deaf, they can have any variety of additional physical disabilities. But an intellectual disability is the disability that's in common amongst all the workforce that I'll be speaking about today.

The foundation of the success in Washington State is pretty simple. We value people. We value every single person that is in our workforce in our State. We want those people to experience lives of value, to have respect, to have status, to increase in competence, to be healthy, safe, to have power, and to have choices. And like any of us in the room, they may not be able to do every job, but they can do several jobs.

All of us need some sort of support, some sort of encouragement, some sort of accommodation, and it isn't any different for a person with an intellectual disability. Beyond that, when we line up our policies, our funding, our accountability, and our message to say everyone is employable, everyone, we accomplish it.

When we started in 1980, our employment rate of people working in jobs in the community, something that's called integrated individual employment, was at zero. We didn't even let people be in sheltered employment in 1980. We had day activity centers.

By 2004, when we enacted our working age adult policy that said that the support we would provide to people to achieve lives of value where they could gain in status and respect and in competence and have more choices and be more integral in their community, we were at 53 percent. As last measured by the Institute of Community Inclusion, the wonderful institute in Boston, MA, we were at 89 percent. Being able to clearly say to our State that peo-

ple would be expected and supported to achieve a living wage was absolutely paramount in our success.

Currently, there are over 3,000 people with intellectual and developmental disabilities working in individual jobs for employers large and small, rural communities, urban areas, metropolitan communities, the private sector, the public sector, across Washington State. I wish they could all be here today. I wish all their employers could be here. I wish their families, their special ed teachers, their neighbors—I wish they were all here.

But they can't be. They're at home. They're working. I'm here. So I'll share just two brief stories. Like most people working for Microsoft, Dan Thompson was the best at what he did. He could sort mail more quickly and more accurately than anyone else. And like most people who work at Microsoft, he liked having a connection with Bill Gates. Within 10 minutes of meeting him, you'd probably know he worked for Bill. He sorted his mail.

What was different about Dan was not that he was born with Down's Syndrome or an accompanying fragile medical condition. It was that Dan was born into the Thompson family. His parents, Margaret-Lee and Lorin Thompson—when they met Dan, when he was born, his doctor said, "Fragile heart condition—probably not going to make it very far." They didn't know they had a Thompson.

When Dan graduated from high school, he had a job at Microsoft. And for the next 14½ years, he worked there. The fact that Dan was really good at his job was an absolute requirement for working at Microsoft. It wasn't required that he be such a likeable guy. It wasn't required that everybody enjoyed going to the mail room to check in and hang with Dan for a while.

The day after Dan died, the Microsoft flag on the Redmond campus flew at half staff. And both Governor Gary Locke and, at the time, Dino Rossi, his gubernatorial challenging candidate for the Governor's position, sat side by side at his memorial service.

Ron's story is different. The complexity of Ron's disability was such that he was unable to speak. Having no other way to communicate, in his frustration he inflicted grave harm to himself. Over his time, his injuries resulted in causing his own deafness and his own blindness. He was institutionalized with around the clock two on one staffing just to prevent him from inflicting further harm on himself.

When he moved to King County, Ron's employment agency found a job for Ron at a grocery store. And with a job coach, he learned to clean freezer cases and do other tasks at the grocery store. He learned he could count on himself and he could count on others. To get up in the morning, he had his hand on a vibrating alarm that told him it was time to get up and make his way to the bus stop. His self-injuring behavior stopped. He took home his paycheck. He interacted in the community. He didn't hurt himself anymore. He had co-workers to interact with. He learned other ways to communicate. He did that at his job.

We have learned person by person, job by job that everyone is employable. Right now in Washington State, people are averaging 17 hours of work per week, and even though our minimum wage is right up there nationally, that means that they're only earning about $7,000 a year. That's not enough. Some people are working

40 hours a week, and in the public sector, they're making closer to median wage. That's what we want for everyone. We want everyone earning median wage.

Self-advocates with disabilities are clear. They want good jobs, and they have a strong presence in our State legislature. Our employers in our communities know firsthand the importance of including everyone in the workforce.

Shifting briefly to the national picture and speaking just to the intellectual disability community, nationally, between 80 and 90 percent of people with intellectual disabilities are unemployed. Federally, we pay for people to be unemployed, either in a non-work day activity center or a segregated setting. That's not the case in Washington State. It's flipped the other way. Of the 7,500 people who are relying on the division for support, only 500 are left in sheltered workshops in the State of Washington, and that came simply from believing that everyone is employable and that we needed to line up our supports, our funding, our contracting, and our expectations to achieve that.

So I would ask you that you insist upon cross-agency collaboration with other committees beyond your own—yours is critical—with education, because if we can assure America's youth with the most complex disabilities are expected and supported to get good jobs, we will have this problem solved in the next two generations.

Thank you very much.

[The prepared statement of Ms. Boone follows:]

PREPARED STATEMENT OF JANE BOONE

SUMMARY

The success of Washington State in developing a workforce inclusive of those with intellectual and developmental disabilities is attributed primarily to the value that we as a State place on including each person as a valuable, contributing member of their community. Washington State understands that in America, earning a living wage is key to achieving health and safety, overcoming loneliness, gaining in competence and respect, making contributions to the community, having status, and exercising real power and real choice. The ability to earn a decent living in a rewarding job with the proper support is not something seen as privilege, but rather a right—an integral part of how we think about our workforce.

However, achieving relatively high integrated employment among individuals with intellectual and developmental disabilities did not happen overnight. Sustained improvement in our State's disability employment rate was achieved through leadership, careful planning, accountability, and close stakeholder involvement.

A key factor to Washington State's success has been the longstanding commitment to the principles and benefits of inclusion, leading first to approval of inclusive education laws in 1971. "Employment First"—which articulates our philosophy that services and supports should be designed and delivered in a manner that leads to and supports competitive, integrated employment as the expected outcome—was approved by the State legislature in 2012. Employment First in Washington is not just a policy, but a fully supported and integrated *practice* in the State. Key to the success of Employment First has been the data collection and accountability component.

The degree of stakeholder involvement has also been crucial to the success of Employment First. Self-advocates, along with their families, were among the strong initial supporters of Employment First. The daily presence of people with significant disabilities in workplaces across the State have helped to make commonplace the fact that people once considered unemployable are willing and able to fill important jobs in our communities. Employers have come to embrace this model and understand its benefits.

However, there is more to be done. While the percentages of adults with intellectual and developmental disabilities working in competitive, integrated employment in Washington positions us as a national leader, the next step is reaching typical

employment rates, improving hours worked per week, wages, and benefits for these individuals. Although we are doing what we can Washington, collective accountability between State and Federal agencies and programs is essential to leveraging funding and programming opportunities that could serve those who are ready to work. This is especially important as a new generation of individuals with disabilities prepares to enter the workforce.

Chairman Harkin, Ranking Member Alexander, distinguished committee members and dedicated staff, thank you for the opportunity to testify. My name is Jane Boone and I live in Seattle, WA. I currently serve as a consultant to the State Employment Leadership Network (also known as the SELN), a growing consortium of 27 States across the country from Hawaii to Massachusetts. The SELN is collaboratively staffed by the Institute of Community Inclusion and the National Association of Directors of Developmental Disabilities Services. The purpose of the SELN is to improve employment for each State and our country's workforce with intellectual and developmental disabilities. For the first 27 years of my career I worked as a grants administrator at the local government level in Thurston and Mason counties, one a metropolitan and the other a rural county in Washington. Then, for 5 years until January 2013, I managed Washington State's Jobs by 21 Employment Partnership.

My career has one clear focus—developing and implementing the policies and practices needed for youth and adults with intellectual and developmental disabilities to get good jobs with good employers at typical ages, have the opportunity to advance in their careers, and earn a decent—better than decent—living. Having the opportunity to briefly summarize the key elements in place in Washington State over the past 40 years that have led to the inclusion of youth and working age adults with intellectual and developmental disabilities in Washington State's workforce is, truly, a privilege.

The core foundation of Washington's success is simple. We value people with intellectual and developmental disabilities being in our lives and living as equally participating members in our communities. That is the heart of it. Given that, we know it is the responsibility of publicly funded support to promote the opportunity for all citizens to be integral members of our communities, living with status and respect, increasing in competence, expanding meaningful friendships and relationships, having access to an array of good choices, and being healthy and safe. These basic values make Washington's focus on employment obvious. The most simple and cost-effective way to achieve all of the basic elements essential to a decent life—for any of us—is to support everyone, perhaps most especially people with intellectual and developmental disabilities, to get and keep a good job and advance in their careers.

Contrary to previously held beliefs in the United States, beliefs that resulted in segregating people with even very mild disabilities into sheltered workshops and adult "habilitation" centers, Washington has learned over and over again, job by job, person by person, employer by employer, that everyone is employable. Over 3,000 people with significant and sometimes very complex disabilities are now working in integrated, competitive jobs with employers large and small. These are people who were segregated and not working 30 years ago in our State. With purposeful intent in policy and in funding, collaboration amongst government agencies, and the support of employment service agencies, families, friends, schools and networking, those jobs happened one employer and one person at a time. It didn't happen overnight. With over half of Washington's workforce relying on supports from the Division of Developmental Disabilities employed in individual integrated jobs, we now *know* that the entire workforce of youth and adults with intellectual and developmental disabilities are employable. Every young person, every middle-age person, every older person, can work in an integrated job in the community, no matter how complex or unusual the disability. We have learned that exactly like for you and me, with the right job match, the right jobs supports and a willing employer, everyone is capable of working and contributing to our economy and our communities. None of us can work for every employer, but each one of us can work and have a job when our talents and skills match the needs and supports available at our job. None of us gets through a workday without some level of support from our co-workers, our supervisors, some level of accommodation, no matter how great or small, and technology. For the workforce of people with very complex disabilities, that support will likely include expertise from a job developer to get the job, and a job coach or employment specialist on the job. That is not always needed, and when it is, it's not usually much of a difference, it may include more in the way of on the job supports, job restructuring or more thinking about arranging the accommodations any of us need to get our jobs done to our employer's and our own satisfaction.

While valuing the inclusion of all people is at the heart of Washington's success, being clear and accountable to a goal is critical to successful achievement of any pursuit.

WASHINGTON'S GOAL

Youth and adults with intellectual and developmental disabilities in Washington State will:

- Have the support and expectation needed to earn a living wage;
- Actively use existing talents and gain new abilities in every sector of the State's workforce; and
- Contribute as equals in the labor force and economic vitality of the State.

WASHINGTON EIGHT ESSENTIALS TO GOAL ACHIEVEMENT

(1) Stakeholder Leadership—clear communication of vision, values and goal in policy and practice.

(2) Accountability and Performance Measurement of data on progress toward employment goals.

(3) Funding and Contracting methods investing in integrated employment.

(4) Training and Technical Assistance to support and expand the expertise of employment agencies.

(5) Common Accountabilities and Working Agreements amongst partners including local government, schools, Vocational Rehabilitation, employers and families.

(6) Stakeholder and Advocacy involvement and guidance in policy and practice.

(7) Private and public sector employment—government and business leadership in hiring.

(8) Innovation and continuous quality improvement at the local and State level, including investment in new and increasingly effective business models.

National Picture: Washington has relied on maximizing every element essential leading to our success for over 30 years, and our data shows the improvement in our employment outcomes and progress toward our goal of full inclusion in the workforce. Nationally, despite many employers hiring people with intellectual and developmental disabilities, despite the need for people to get and keep good jobs, despite our country's urgent need for a capable workforce, it is not yet a commonly held belief that it is possible for everyone to work, and the data reflects the lack of expectation, the lack of assumption that everyone is employable. At the national level, currently, 80 percent to 90 percent of people with intellectual disabilities remain segregated in publicly funded sheltered workshops or segregated non-work day activity centers. The National Core Indicator study demonstrates that of those who are unemployed, the majority want a job, yet only 28 percent have an individual service plan that includes the goal of a getting a job. (*Human Services Research Institute (2012). Working in the community: The status and outcomes of people with intellectual and developmental disabilities in integrated employment. NCI Data Brief, October 2012. Cambridge, MA: Human Services Research Institute.*)

How can this be, how can such a large segment of America's workforce who wants to work remain segregated and unemployed without the expectation or assistance to get a good job and earn good wages? Some of Washington State's self-advocates grew up knowing they would be expected to work, others feel lucky to have a job and see it as a privilege, especially amongst the older workforce. Typically, we think of privilege as being defined as an unusual benefit, perhaps a rare advantage or special honor. In America, a country founded on the rights of all citizens to pursue life, liberty and happiness, a nation with an economy based on the principles and benefits of capitalism, few of us would consider working or earning a living to provide for our families and ourselves as a rare privilege or a special honor. It is just what we do—we get up and go to work for a living. Few Americans consider paying taxes as a privilege; it is simply a measure of ordinary contribution in civic participation.

However, the *only* reason I am here testifying before you today is that, according to data compiled annually by researchers at the Institute for Community Inclusion (ICI), and data published by the National Core Indicators project, at best 20 percent, and perhaps measured more accurately, 10 percent, of our workforce with intellectual and developmental disabilities are working in individual integrated jobs in a competitive environment. Said a different way, as mentioned, we are talking about an 80 percent to 90 percent unemployment rate for a significant portion of our country's workforce. Not being expected to work and earn a living is distinctly *not* a

privilege. America's working age adults with intellectual or developmental disabilities are overwhelmingly excluded from what the rest of our Nation takes for granted—the right, opportunity, support and expectation to find employment and "make a living." Not surprisingly, for the most part, they are living in poverty. Poverty is not by definition an accompanying condition to disability, but unfortunately, that is the case in the United States. Now that we know how to do better, we have to do better. The privilege of my presence here is due to what is viewed as a "notable accomplishment"—the relatively high number of adults with intellectual and developmental disabilities in Washington State working in jobs for employers in their communities and earning minimum wage or better.

Washington's success: With collaboration between the private and public sector, innovation, commitment from employment support agencies, and a persistent expectation and investment in employment, the integrated employment rate of adults relying on day and employment support from the Washington State Division of Developmental Disabilities has risen from just around 0 percent in 1980, to 53 percent in 2004 and, as last measured by ICI, to 89 percent in 2011. That may sound impressive, but we are the very first to admit that we have a long way to go until the day *every* person of working age is employed and earning decent wages. Eighty-nine percent is the total percentage of individuals receiving funded employment supports who are working in an individual job, or at a small group employment site. In that 89 percent figure are people who are working, but some are between jobs, or receiving support to land their first job, or advance in their career. The good news is that Washington has pretty much figured out how people with intellectual and developmental disabilities with relatively low employment support needs can enter the workforce and be successful on the job, but we are still learning how to work with employers so that 100 percent of the workforce can be working. The biggest disappointment is in the average hours worked per week and the wages earned. With only 17 hours per week as the average hours worked per week, and the hourly wages averaging just right around minimum wage, average annual earnings are roughly $7,000 and that is very different from our goal of median wage earnings and full-time work.

National Initiatives: For over 5 years, Washington has actively participated in what is now a 27 State consortium—the State Employment Leadership Network. In 2012, we also received a Federal grant from the Office of Disability and Employment Policy at the U.S. Department of Labor to mentor three States in Employment First practices—Iowa, Tennessee and Oregon. In the summer of 2012, Iowa's team, led by David Mitchell, the Iowa vocational rehabilitation director, asked Washington to answer a series of questions that would help explain how Washington State has been able to achieve the relatively high level of people in integrated employment settings. That outline is summarized here:

What are some factors essential to Washington's success that might guide us?

Washington is fully engaged in implementing an Employment First *practice*, it is not just a policy or a statute. Washington's service system is aligned toward people with intellectual and developmental disabilities getting what they need to earn a living wage, reach their individual career goals and contribute to our State's economy through participation in the labor force. Fundamental elements of Washington's Employment First practice include:

- **The premise and expectation that almost all of us need to work to earn a living—**and with a good job match and effective support, all of us can work.
- **It is essential to invest in an employment agency infrastructure** competent to assess the community job market, match and train job-seeker skills and abilities to employer needs.
- **Effective employment support needs are unique to the individual and can be expected to fluctuate over time and vary in intensity along with job demands.**
- **Publicly funded employment services, allowable expenditures, service definitions and billable activities are** directed to the State's intended outcome that people earn a living wage in an integrated job in the community.
- **Reimbursement and funding allocation methodologies** provide the varying levels of support needed for individuals to get and keep good jobs, and continue to advance in careers.
- **Employment services are integral to the HCBS waiver plan and Washington provides Medicaid coverage under the Healthcare for Workers with Disabilities (HWD) program.** The availability of Healthcare for Workers with disabilities helps remove the disincentive of losing medical insurance as workers earn

higher wages over time. Washington relies on Benefits Planners to assist individuals to use all available Federal resources in the pursuit of gainful employment.

• **Individual employment outcome data is collected monthly, is integral to the billing process** and includes data on individual wages earned, hours worked, type of employment, hours of support received, job setting, cost of support and funding source.

• **Transparency and accountability to employment outcomes is paramount to achieving the goal: Statewide employment outcome reports** based on the above data elements with report query capacity at the employment service type, age, level of support need, provider, county, regional and statewide level are available to anyone with Internet access at this Web site: *http://www.statedata.info/washington-ddd/*.

• **Employment earnings data is available from the State's unemployment insurance department each quarter via an interagency agreement.** The reports, trends and patterns reflected in that data is integral to our measurement of progress in employment outcomes.

• **Washington State Division of Developmental Disabilities relies on collaborative inter-agency partnerships with Counties, the Division of Vocational Rehabilitation, Self-Advocate Organizations, Family Organizations, the Developmental Disabilities Council, Disability Rights and Advocacy Organizations, the Workforce Investment Board, the State Department of Education (Office of Superintendent of Public Instruction), University Centers for Excellence, the State Legislature and the Governor's office.** Counties and employment providers have much deeper connections at the local level with schools, employers, families, Rotary and Kiwanis, transportation providers, and other community agencies and service providers integral to the employment success of local citizens with intellectual and developmental disabilities.

• **Employment provider evaluation and monitoring** is conducted regularly, and includes the essential elements defining measures counties must regularly review in evaluating service providers.

• **Technical assistance and training** is available through the *Washington Initiative for Supported Employment* and other contractors for county and contracted employment providers to gain in competency and create new business models and ways of achieving valued outcomes. Individualized Technical Assistance is also available to job seekers who are experiencing difficulty in achieving their employment goals.

• **County contracts** define and reinforce the expectation of integrated employment outcomes for individuals.

• **High School Transition to Work** is encouraged at the local level, and counties may elect to use State contract funds to foster collaborative relationships with communities and schools so youth exit school with good jobs. The DDD County Program Agreement cites as an allowable category,

> "Partnership Project: Collaborative partnerships with school districts, employment providers, DVR, families, employers and other community collaborators needed to provide the employment supports and services young adults with developmental disabilities require to become employed during the school year they turn 21."

The *Partnership Project 2009* evaluation report provides more information on the State's innovative, effective and above all, collaborative efforts in school transition to work.

Washington has been working toward supporting individuals with intellectual and developmental disabilities to earn living wage jobs in integrated community settings for over 30 years, and the principles and practices of Employment First exist throughout the service system. Additional factors include:

State Legislative Role: Until the 2011 legislative session with the passage of Employment First legislation (*SB 6384*), the legislative policy framework for delivering employment services has been through budget appropriation language, which has consistently provided funding for employment and day services. In 2004, the division, working with stakeholders, drafted the Working Age Adult Policy and gave counties until 2006 to implement. The policy made employment the only option for working age people unless an exception was granted. In 2009, there was a significant stakeholder discussion about access to lifelong learning opportunities—more than just employment. Part of the discussions was disagreement about whether or not all working age people could or should work. The legislature did not address the policy issues and the budget continued to make employment funding available.

In the 2012 legislative session the legislature considered the issue again and in effect passed Employment First legislation by ensuring working age people have the

right to participate in Community Access if efforts at employment are unsuccessful after 9 months.

There is some disagreement in the legislature about Employment First. The State Senate has been almost unanimous in its support of employment. The State House has had significant supporters of Employment First and significant supporters of a non-employment agenda. In 2012, Employment First became State policy by legislative direction.

Grassroots efforts: Washington has been working on developing stakeholder commitment to the value of employment for people with disabilities; the community inclusion options it brings, the status people gain by being employed, expanding system capacity and expertise for and experienced much success. Self-advocates with disabilities are clear that they want employment first and are a consistent presence in the legislature. Employment agencies (including agencies that run sheltered workshops) have been consistently supportive of Employment First and were the leaders in changing their business models. Families are passionate advocates for employment and there are families that are passionate about employment first being wrong for their family member.

To emphasize the clarity on the type of employment opportunities the State has expected the county to deliver for the past 20 years, below is an excerpted section of the **1992 County Guidelines on Employment Services:**

The following are some of the outcomes counties would want to see people experiencing from employment services:

- Employment in businesses that:
  - Offer status in the community.
  - Are typical businesses in the community.
  - Offer opportunities for an increase in natural supports.
  - Offer benefits, including vacation, health insurance, retirement, etc.
  - Offer the opportunity for wages that support economic self-sufficiency.
- Jobs that contain elements of upward mobility, including:
  - Opportunity for advancement.
  - Increased wages.
  - Opportunities for new employment.
- Choices for individuals in:
  - The work they do.
  - Who provides the support.
  - Location of the job.
  - Hours worked.
  - Opportunities for relationships and support from co-workers who are not labeled disabled.
- Supports that provide culturally competent services to individuals and their families, and demonstrate a value for diversity and
  - ***Opportunities for everyone that wants a job to have a job.***

Real change relies on believing that it can happen and must happen and the determination to see it through. At what point in time did people in Washington accept (realize, buy in, understand) that individuals with significant and intellectual disabilities can work in good jobs, contribute to the general labor force and earn a living wage?

Not surprisingly, some of the strongest initial opponents have become the strongest advocates, especially among family members, but also among legislators, county coordinators, employers, boards of directors, sheltered workshop CEO's and school districts who have realigned their services and curriculums toward the realization of integrated community employment for the State's labor force with the most significant intellectual and developmental disabilities. For every would be opponent, there is likely a different story behind why they became a strong advocate, but almost to a person have in common knowing or employing one or more students or adults with a significant disability who may have once been in a segregated setting—and who are now working successfully in a job in the community. Large, medium and small employers hire individuals statewide, in rural, urban and metropolitan areas. Minimum wage in Washington is just over $9 an hour, but many employees make more, and some have excellent job benefits.

Employment in community jobs is becoming more and more what is typical for people with significant disabilities in Washington and less and less the exception. It has taken a few generations to get to this point, and it may take at least one more to realize employment rates and earnings for the labor force with intellectual and developmental disabilities at levels typical for the general population.

Historically, on a national level, before *Marc Gold* introduced systematic instruction techniques in the late 1960s, there were few people, (outside of family members working in family businesses or who had a very strong work ethic and had helped their sons and daughters get a job) who believed people with a significant intellectual disability could work. Tom Bellamy, at the University of Oregon in the 1970s and 1980s, with the development of the Specialized Training Program, continued to build on the premise of systematic instruction, making it clear that the capability of individuals could be greatly enhanced by the competency of their employment specialists. National leaders came early and often to Washington State, and directly contribute to Washington's success, most notably including David Mank, John Butterworth and Rich Luecking, John and Connie Lyle O'Brien and Washington State's 45-year fearless leader and force of nature, Linda Rolfe. *Michael Callahan* and his colleagues at Employment for All advanced the concepts of systematic instruction further through their tireless work in customized employment, placing an increased emphasis on the importance of coupling systematic instruction with job placement that meets both the employer's needs and the job seeker's unique interests, abilities and non-negotiable job requirements.

Informally, the expectation that everyone can work, and the message that thousands of Washingtonians with significant disabilities are working, is reinforced every day by employers who continue to hire, and employees who continue to work, be promoted, and advance in their careers. It is further reinforced in the State's school districts that have entered into collaborative agreements with counties, DVR and community employment providers to assist students age 18–21 to get jobs and graduate with positive post-school outcomes competitively employed. The Washington Initiative for Supported Employment provides reinforcement by maintaining an ever-growing collection of employment success stories hosted at the YouTube Web site: *http://www.youtube.com/user/WiSeMovies*.

At the most basic level, the expectation of employment in community jobs is likely reinforced best by the presence and participation of citizens with significant disabilities on the bus on their way to work, in the office interacting with customers, on job sites with co-workers, at family gatherings, parties and in casual conversation when a person with a significant disability answers the question "What do you do?" by talking about her or his job.

Washington employment providers have banded together under the *Community Employment Alliance* to support each other to be ever more successful in the mission of supporting all individuals in Washington to work in good jobs. The Washington Initiative for Supported Employment uses social media to get the word out, and continues to produce and collect video and spoken testimonials and publishes them on their Web site.

What difference has the policy toward employment made in Washington? Since Washington has been working toward integrated employment since the early 1980s by the time the Working Age Adult policy was adopted in 2006, Washington Division of Developmental Disabilities did not have a large investment in Day Habilitation centers or a large number of segregated employment service providers. Many of the former sheltered workshop agencies have been at the forefront of the positive changes, and most have either transformed their business model entirely to one of assisting individuals to work in supported employment, or have a smaller population of people receiving prevocational services as they continue to work toward integrated employment.

To illustrate the impact the policy has had over time, between July 2007 and July 2011, there was a 33 percent decline in the numbers of people in segregated PreVocational Service settings and a 28 percent increase in numbers of people receiving support in Individual Employment Services:

- July 2007, 809 clients in PreVocational and 3,044 in Individual Employment Services
- July 2011, 541 clients in PreVocational and 4,170 in Individual Employment Services

Washington DDD relies on a strong partnership with the Division of Vocational Rehabilitation and invests in staff competencies. Community Rehabilitation Providers (employment supports and service agencies) serving more than 20 clients are required to have CARF accreditation and meet their staff competency criteria. Agencies keep track of employee training in personnel records, Counties track agency provider compliance with training requirements through their monitoring activities.

Why is data collection and accountability critical? Simply put, you get what you measure.

The data is used to demonstrate:

• employed people use fewer resources to maintain employment;
• employed people like their jobs; show up and are good employees;
• employed people can earn good wages;
• it costs more to find jobs for people of high employment support need than it does for people of low and medium employment support need;
• there are lots of jobs people with developmental disabilities can do;
• there are lots of employers that like the work ethic demonstrated by workers with disabilities;
• successful job finding involves knowing the person, knowing the job market, assessing work flow in businesses and being able to connect the right person with the right job; and
• more jobs are available when employment agencies focus on employer interests such as good employees that improve employer's bottom line and do not regard employment as the employer's civic duty.

We are not there yet, but Washington is making progress. We have learned by paying close attention to the data we collect, data that merges our publicly funded service billings (primarily CMS Medicaid-funded services), with employment outcome reporting, that dramatic results can occur when values line up with leadership, and the message is a clear investment in employment.

On June 7, 2012, Governor Christine Gregoire signed the State's "Employment for All" legislation, which received national recognition. Many advocates, families, employers, employment agencies, county and State government stakeholders were at the signing ceremony to celebrate. But June 7, 2012, was also a celebration of over 40 years of working toward that day. Washington was the first State in the Nation with parents lobbying successfully to pass HB 90 in 1971, Washington's Education for All bill. It was not until 1975 that a similar bill was passed at the Federal level. It is likely no coincidence that our integrated employment rates are now the highest in the Nation for people with intellectual and developmental disabilities. Many of these same parents, who expected their sons and daughters to go to school with their sisters and brothers, also expected them to work, have a career, pay taxes, and earn a living. These families know they are capable of contributing to their communities. Washington has sustained the commitment to integration and inclusion begun by parents in the 1960s because integrated and inclusive employment for adults with intellectual and developmental disabilities—just as it is for anyone—proves to be the best way to achieve the greatest level of personal development and economic self-sufficiency.

What is happening nationally with the Federal investment? We know that the most effective way out of poverty is not by relying on welfare. Being reliant on a government check is risky business and the pay is lousy at the individual level, but collectively, as a Nation, it is very expensive and costly. The average social security check issued to a person with a disability puts their earnings far below the Federal poverty level, yet Medicaid funding has reached crisis proportions. Not one of us wants Federal funding to result in people living in poverty, be unemployed, or earn less than minimum wage, but this is what the majority of our country's Medicaid investment is in a day and employment supports is buying for our workforce of people with intellectual and developmental disabilities. Researchers ICI began in 1988 to annually collect national investment and outcome data at the individual State level.

> The ICI data continues to demonstrate, year after year, that our country pays more for people with intellectual disabilities to remain segregated in sheltered workshops, or not work at all, than it invests in the supports needed for them to join America's workforce, earn a living wage, be a tax-paying citizen, and gain in competence, friendships, status and relationships.

States are doing what they can to improve employment opportunities and outcomes. In addition to the initiative at the National Governors Association, several States are working toward or adopting what is known as "Employment First" policies and States have access to the U.S. Department of Labor's Office of Disability Employment Policy's leadership. More than half the States in our Nation currently belong to a consortium referred to earlier as the State Employment Leadership Network (SELN). The SELN is staffed by ICI at UMass/Boston and the National Association of Directors of Developmental Disabilities Services. The mission of the State Employment Leadership Network is to improve employment outcomes through a series of well thought out strategies, technical assistance, webinar training, data briefs and onsite training and support. But State leadership is not enough, Federal policies need to clearly direct funding and construct legislation supporting the expectation and opportunity of typical living wage employment for all Americans with intellectual disabilities. We have a long way to go to get there, but we are a country

with a history of figuring out how to do better and how to innovate. We are a country capable of changing business models to achieve effective practices.

Perhaps most importantly, we are a country capable of including and valuing Americans we once shunned. In 1975, Congress passed the legislation allowing every child the right to a public education, Public Law 94–142, now authorized as IDEA, the Individuals with Disabilities Education Act. If almost 40 years ago, Congress could pass legislation allowing every child the right to go to school along with their sisters and brothers, isn't it time they now be *employed* along with their sisters and brothers, community members and neighbors? Data shows us this is not the case for the majority of students exiting school, but this is where we need to start—with youth getting typical jobs at typical ages. We need to include students with intellectual disabilities in our country's excellent career and technical education classes in high school, not just in special education. Even with a strong emphasis on effective transition principles in IDEA, and with data collected on post-school outcomes, the national data ICI collects demonstrates that in most States, the overwhelming majority of adults with intellectual disabilities are in segregated sheltered workshops or day habilitation centers. Washington State's Jobs by 21 Partnership Project demonstrated that with effective collaboration between counties, schools, supported employment agencies, Vocational Rehabilitation and employers during the critical ages of 18 and 21, youth can exit school with jobs. The data also demonstrated that the most likely indicator of a young adult's ability to have a job after school was his or her job status at the time of school exit. Students need to be working and have a resume to remain working and advance in their careers and wage earning potential after exiting school.

What can the Federal Government do to provide leadership? The Federal statutes and Federal money are not currently aligned in a way that we are collaboratively accountable to employment outcomes for youth or adults with intellectual and developmental disabilities. There is no place to identify what we expect of the different systems, Employment and Training Administration, Vocational Rehabilitation, Education and Medicaid, where we are collectively accountable to the same set of goals and reasonable outcomes of employment. We are not working together, we are not leveraging funding and opportunities and we are not holding ourselves accountable to the outcome of employment. We need to invest in employment, develop cross agency accountability, judge agencies similarly and make employment the most attractive support States can offer this workforce. To embark on the generation that will change the landscape of employment for generations to come, we need statutory change that effectively support students with the most significant disabilities who are the most difficult to support so that every Federal agency is held accountable to youth earning a good job and a good wage. If our country aligns its Federal resources and accountability to insure that youth with the most significant and complex disabilities will be expected and supported to work at a real job and earn real wages, we will have this problem solved in two generations.

To close, I have chosen to share just two brief stories that illustrate better than any statistic why Federal investments need to be redirected to support integrated, living wage employment, and why funding for people to be segregated, day in and day out in habilitation centers, and not working, is not acceptable.

From the over 3,000 compelling stories about people working in individual, integrated employment in Washington State today, I cite these two, one each from the public and private sectors. The first story is from the "early days". Along with developing jobs in the private sector, in large and small businesses, Washington began developing jobs in the public sector jobs in the 1980s. One of the first public sector jobs specifically carved out was in Olympia, WA, an Office Trainee job, a job primarily requiring numerical and alphabetical filing. Several people with developmental disabilities applied for the job, and Bruce got it. On Friday, Bruce left his job at the segregated sheltered workshop, where he had worked for many years microfilming State records for archives. Like others at the workshop, Bruce was paid there based on productivity, and he legally earned a subminimum wage. His monthly earnings in the late 1980s averaged approximately $150 a month. On the following Monday, when he began work for his new employer, his starting salary earned him a little over $1,400 a month, with full holiday, sick, dental, vacation and retirement benefits. Bruce was the same guy in both jobs, with the same reliable work habits, same cheerful can-do attitude, the same basic skills. He needed some support to learn his way around the new job, and along with everyone else, his job duties with the State shifted over time, but from the first day on the job he didn't need any help engaging in elevator banter with his coworkers about the Seattle Mariners or the Seahawks. Asked if he wanted to go back to his old job at the sheltered workshop, he said "No way. I like my paycheck. I have new friends here. Besides what would they do without me? The filing would pile up."

Second story: I live in Seattle where Microsoft is a major employer, with about 40,000+ employees in the Puget Sound region and 97,000+ worldwide. Standing on the corner with a morning cup of coffee, waiting for the Microsoft Connector transit shuttle to the Redmond Microsoft campus, says pretty clearly that you are rolling with the in-crowd. You work for Microsoft. If Dan Thompson were alive today, and speaking before you, you would learn within the first 10 minutes that he worked for Microsoft. Dan Thompson's mother, Margaret-Lee Thompson said, "If you can find something people do well, you can connect them with a good job." Dan was good at putting things in the right place and he liked to read. Microsoft's mailroom was a good fit, and he was the most accurate and fastest sorter. "I like my job," Dan said, "I work for Bill."

Dan Thompson was like many people working for Microsoft, they are the best at what they do, and they appreciate having a connection with Bill Gates. What was different about Dan is not that he was born with Down syndrome or an accompanying medical condition; it was Dan's family's expectation that he be included and contribute at home, at church, and at school. If Dan's family had expected less, or if he lived in another State, Dan may have spent the rest of his days segregated from the community, playing BINGO, or maybe watching television in a habilitation center. But Dan was a Thompson family member, and Dan never set foot in a sheltered workshop. Dan went to work at Microsoft, where he was as included and valued at work as he was at home. The day after Dan died, the Microsoft campus flag was lowered to half-mast. If they were here today, Dan's parents, Margaret-Lee and Lorin Thompson, might add that what Dan loved best was having enough money saved from his earnings to give gifts, to contribute to the happiness of his family. His parents would definitely tell you that Dan having a good paying job with a great employer was not only the best thing for Dan, but for Dan's family. It went pretty well for Microsoft, too, he worked there for 14½ well-paid years.

As I close, I must say that even as I speak to our successes, the fact that Washington's data, statistics and stories, are viewed as amongst the best in the Nation, simply serves to underscore the most painful aspect of my testimony. More people with intellectual disabilities in Washington State may be working and for the most part earning better wages than elsewhere in the country, but the average annual earnings are still significantly below the Federal poverty level. Most people are not yet working full-time, they are not yet earning median wage. Too many are unemployed and most are underemployed. If Washington State's employment rates and earning for this capable sector of America's workforce is the best in the country, we have reason to be ashamed, but we can struggle with shame only briefly. People relying on us for support need us to act immediately, to take every opportunity before us, in legislation and in policy, in funding directives and in leadership, to expect better, to do better, to hold ourselves and each other accountable, and to do it now. I trust that as I testify before you today, you will do what you can to align the support, policies and legislation needed for everyone of working age to participate in America's workforce, to earn median wage, to pay taxes. I trust you will put into motion the leadership needed for us to become a country where the question asked of every person of working age is not, "Do you have the rare privilege of working?" it is simply, "Will you tell me about your job so I can get to know you a little better?"

For more information you may contact *JaneBoone@comcast.net*, or the Washington State Division of Developmental Disabilities at *http://www.dshs.wa.gov/ddd/*.

Washington's Jobs by 21 Partnership Project—effective school to work practices:

(1) AIDD journal article: *Jobs by 21 Partnership Project Report: Impact of Cross Systems Collaboration on Employment Outcomes of Young Adults with Developmental Disabilities* (Winsor, Butterworth, Boone, August 2011) is in the attached PDF.

(2) *2008 Jobs by 21 Partnership Project Evaluation* Report by the Institute for Community Inclusion (ICI)—click on hyperlink to read.

(3) *2009 Jobs by 21 Partnership Project Evaluation* Report by ICI: click on hyperlink to read.

For the national picture, the best reference is the invaluable "*State Data: The National Report on Employment Services and Outcomes*". That gives an annualized State-by-State picture of Federal, State and local funding investment and employment outcomes for adults with disabilities. The book is arranged in alphabetical order by State, and as such, Washington's data is near the end. While States pay attention to, track and report on data slightly differently, the national context is very helpful.

For Washington specific data, the best place to produce reports on the State's outcomes is via the interactive Web site: *Washington DDD Employment*

Supports Information System. Washington's data and billing system are integrated into one reporting system, and this ICI developed Web site serves as the outcomes reporting mechanism available to anyone with Internet access. Once the query variables are entered, the report shows either by trend or summary the number of Washington State Division of Developmental Disabilities clients employed statewide, by region, by county, and by employment provider, by level of employment support need, residence, and type of support received.

ICI publication: *Innovations in Employment Supports: Washington State's Division of Developmental Disabilities*

Research to Practice 33a

As evidence of the positive outcomes associated with integrated employment develops it is important to identify policy and practices at the State level that expand access to employment opportunity. This brief presents findings from Institute for Community Inclusion (ICI) case study research focused on State agencies that support individuals with developmental disabilities.

ICI Publication: *High-Performing States in Integrated Employment*

Research to Practice 32

Despite recent improvements, community employment outcomes vary widely across States. This report highlights successful practices of States that were identified as "high performers" in integrated employment for people served by State MR/DD agencies.

(1) Butterworth, ET al., University of Massachusetts/Boston Institute of Community Inclusion. *2011 State Data, the National Report on Employment Services and Outcomes*.

(2) Winsor, Butterworth, Boone, Jobs by 21 Partnership Project: Impact of Cross-System Collaboration on Employment Outcomes of Young Adults With Developmental Disabilities, AIDD.

(3) Washington State Comprehensive Employment Report, 2010: Washington Initiative for Supported Employment. (attached to testimony)

(4) Human Services Research Institute (2012). Working in the community: The status and outcomes of people with intellectual and developmental disabilities in integrated employment. NCI Data Brief, October 2012. Cambridge, MA: Human Services Research Institute. (attached to testimony)

The CHAIRMAN. Thank you, Ms. Boone, for a very profound statement.

Next I'll introduce Dr. Michael O'Brien, currently the executive director for the Oklahoma Department of Rehabilitation Services. He has more than 35 years of experience in vocational rehabilitation. He is on the adjunct faculty at Langston University. He received his doctorate of education from Oklahoma State University in occupational and adult education and his master's of education from Chadron State College in career and vocational guidance.

He is a published author and has more than 130 international, national, regional, and State presentations and publications to his credit. A four-time Institute for Rehabilitation Issues national scholar, he served as the chair of the 30th IRI. Also, my notes tell me that prior to this, he was associate professor of rehabilitation and special education in New Mexico at New Mexico Highlands University, and prior to that was a professor with the Department of Rehabilitation Medicine at the University of Washington School of Medicine.

Welcome, Mr. O'Brien, and please proceed.

STATEMENT OF MICHAEL O'BRIEN, Ed.D., CRC, CVE, EXECUTIVE DIRECTOR, OKLAHOMA DEPARTMENT OF REHABILITATION SERVICES, OKLAHOMA CITY, OK

Mr. O'Brien. Thank you. Good afternoon, Chairman Harkin, Ranking Member Alexander, and members of the committee. I really appreciate the opportunity to talk about this subject. As you

said, I've spent 35 years. It's been my passion and my career to be a part of this.

I am the director of the Oklahoma Department of Rehabilitation Services. But I also have previously been the director of the Washington Division of Vocational Rehabilitation Services, and I've served in two other States. I come to this with information from multiple settings. Also, today, what I'm going to try to do is give you two examples that encapsulate many of the things that I talked about in my written testimony rather than just specifically rely on that.

To assure innovation for people with disabilities and to assure employment and opportunities for people with disabilities, I think that I need to focus on two concepts today. The first is high expectations, and the second is a dedicated presence. I'd like to share an example with you of a young man who works for me, and with his permission, he has allowed me to share this story.

His name is Jason Price, and he works for me. He was born with cerebral palsy and currently is a power wheelchair user, and he requires some attendant care. He was born in Dover, OK, which is in the northwest part of the State and has roughly 250 people to account for its population. His family is in the oil field business. From the beginning, his family had high expectations that he would both work and live independently.

He attended a school where his teacher and his family expected him not only to attend, but to graduate. His family and his school expected that he would go to college. So he learned to expect that himself from the very beginning. He applied for vocational rehabilitation services, and his counselor had high expectations that he would graduate from college and that he would go to work.

Jason did go to work. He became a public information officer at the Department of Rehabilitation Services, working for us. As any employer would, we made the appropriate accommodations, bought the right software, and positioned him to be able to do his job. But we had high expectations that he would do a good job.

His family had expectations that Jason would live independently. He is. He's a father. He's a husband. He's a van owner, a homeowner, a professional, and, in his favorite phrase, a taxpayer. Jason had additional expectations of himself. He wanted to make a difference. So he returned to graduate school, earned a master's degree in rehabilitation counseling, became a certified rehabilitation counselor, became a social security expert, became a manager and a supervisor for us, and he now supervises some of the model programs that are noted in my written testimony.

He supervises the Ticket unit, the Benefit Planners unit, and the Cold Case unit. And last year, through his assistance with his team, they were able to generate almost $2 million in social security reimbursement because of the number of people that they were able to convince to choose work over benefits, and social security reimbursed our agency for those people going back to work.

Jason is a rehabilitation leader and a change agent. Yes, he needed accommodations. Yes, he will tell you he needed vocational rehabilitation services. But he will tell you it was the high expectations from the first moment that was his greatest asset in making

choices to work. He did receive social security benefits, but he chose to leave them.

His family expected highly of him. His school expected him to be successful. Vocational rehabilitation supported his efforts and expected him to be successful, and he expected it. He went from being a social security recipient to a taxpayer to an individual whose primary job now is to help other people leave the disability roles.

Too often, high expectations don't exist for people with disabilities, students or adults. Families are afraid of losing benefits, and so they might let students participate in the services, but when it comes time to choose work, they choose not to. Businesses and schools are not always confident that the person with a disability can work. Someone has to create that message, that high expectation. When these things are in place, it's easy for the person to choose benefits and not working than it is to choose working over those services.

I think if we could affect just one thing from today's testimony, it would be to introduce high expectations at the earliest possible point in our school systems. That might be the most innovative thing that we could create, high expectations from the beginning.

The second concept that I want to talk about that incorporates some of the other ideas we've looked at is what I call dedicated presence. Innovation occurs because someone is focused on the issue and trying to create success. Each presenter here today has brought forward innovative practices because they and the people around them focused on opportunities for people with disabilities that would be unique and that would advance what we're looking forward to.

Governor Markell has brought national attention to employment for people with disabilities by making it the focus of the NGA. In my own State, Governor Fallin has allowed us to be innovative and works with us so that we could make this same focus. In each case, there's been a dedicated presence to these issues and a knowledge to offer change.

As a VR director, my most frequent experience, regardless of whether I'm at a workforce board, whether I'm in the schools, whether I'm meeting with business and other agencies across the State, is that when I walk in the room, I'm typically the only one who is focused on inclusion of people with disabilities at that meeting. I am that dedicated presence.

At the counselor level, they tell me that that's true locally as well. It's not my opinion that workforce, business, schools, and other agencies are unwilling or uninterested. It's just that disability is not continuously on their radar. They're more than happy to be inclusive. They're more than happy to provide accommodations. And they're certainly willing to hire people with disabilities.

I think that the issue of employment for people with disabilities cannot be handled generically. There has to be a dedicated presence. I discussed in my written testimony the Career Pathways model. In it, we were allowed to include people with disabilities as part of the State Career Pathways, but it was because we were at the table. I'm a voting member at the State table, and at the local table, we were able to be present. That dedicated presence brings forward the issue of disabilities.

To ensure employment at the highest levels for people with disabilities, I believe there have to be dedicated resources exclusively for people with disabilities, dedicated presence to provide focus, and dedicated partnerships. Obviously, as the director of a State agency, I believe that this can best be accomplished by people with disabilities in partnership with innovative people in public agencies.

I appreciate the time to present today, and I thank you for this opportunity.

[The prepared statement of Mr. O'Brien follows:]

PREPARED STATEMENT OF MICHAEL O'BRIEN, ED.D., CRC, CVE

SUMMARY

As the director of the Oklahoma Department of Rehabilitation Services, I have had the opportunity to have multiple experiences related to promising practices in public vocational rehabilitation. This testimony provides a description of innovative practices that have been implemented in Oklahoma. Although many of these originated in Oklahoma, some have been borrowed from other successful enterprises and initiated in Oklahoma. Innovations in four particular areas will be shared: transition services for students with disabilities, helping people navigate disability benefits and choose work, working with business and interagency and public-private partnerships.

Oklahoma has a positive environment that allows business and government agencies to work together. This environment is enhanced by the Department of Rehabilitation Services (DRS) being a full voting member of the Governor's Workforce Board and by DRS being represented on all local workforce boards. Employment opportunities for people with disabilities are enhanced by the encouragement of Governor Fallin for the partnerships to be successful. This is exemplified in the increased number of people DRS has been able to help to go to work over the past 4 years.

Several specific projects are discussed. DRS studied its own placement history and compared it to current business and industry trends and has begun a new process of assuring that client goals can be aligned with where the real opportunities for work exist. Partnership with the Governor's Workforce Board on the statewide Career Pathways Initiative is presented. Transition age youth projects are highlighted by four examples: paid work experiences, TechNow (helping students get into technology-related jobs), a transition program for juvenile offenders, and Project Search (partnership with business, schools and DRS). Two programs related to Social Security issues are presented. They include the Benefit Planner program and the Ticket program. Other innovative projects include the National Employment Network, The American Indian Vocational Rehabilitation partnerships and a new type of unit called the Cold Case Unit is presented.

Several recommendations are presented at the conclusion. A proposal for transition services is provided. Also discussed is the current system focus on people continuing benefits rather than choosing work. A specific recommendation for enhanced partnership between Social Security and public rehabilitation is presented. Possible rule changes related to the Rehabilitation Services Administration and utilization of reallotment dollars for supported employment or innovation is discussed. It is recommended that there needs to be continued dedicated funds specifically for people with disabilities to be served by qualified practitioners. Finally, a recommendation to enhance career planning for students with disabilities in future legislation is provided.

Good morning Chairman Harkin, Ranking Member Alexander, and members of the committee. My name is Mike O'Brien and I am the State director of the Oklahoma Department of Rehabilitation Services. I am extremely grateful to the committee for having the opportunity to share with you today some innovative practices we have implemented in Oklahoma that I believe could be of benefit to other States. Some of these practices we created and others we borrowed from other partners because they were effective. I would like to share innovations in four areas in particular: transition services to students with disabilities, helping people navigate disability benefits and choose work, working with business, and inter-agency and public-private partnerships.

I have been a rehabilitation practitioner for more than 35 years. My professional experience has included work as a rehabilitation counselor in the public and private sector, vocational evaluator, university professor of rehabilitation counseling and special education and director of two State vocational rehabilitation agencies (Washington and Oklahoma). I hold an earned doctorate in occupational and adult education and am nationally certified as a rehabilitation counselor and vocational evaluation specialist. Currently, I am president-elect of the Council of State Administrators of Vocational Rehabilitation. I have been fortunate to see vocational rehabilitation from many sides and am confident people with disabilities will be served well through the on-going and future efforts in the public program.

I was very excited to return home to Oklahoma in December 2008 as the director of the Department of Rehabilitation Services. I had previously worked in the agency and with many of the State partners. I believed there was an opportunity to move the organization forward because of the potential for interagency cooperation and business partnerships that existed in Oklahoma. However, we were facing our worst performance year as an agency; we were mired in long waiting lists and needed to change how we did business. In Oklahoma we are an independent department and do not report to a parent agency. This gives us greater flexibility for innovation and rapid change. This makes us peers with all other agencies and creates the capacity for full partnership on equal ground. Since returning I have had the strong support of Governor Fallin, the Governor's Workforce Board (as a voting member), and many agency partners. Governor Fallin has encouraged the agencies to partner on issues for people with disabilities. During that first year we only achieved a little over 1,600 successful closures (successful placement in a job for at least 90 days); however, since that time we have had 2 of our best 3 years ever and last year achieved over 3,000 closures. We have been able to achieve success with a discrete population and limited resources (in Oklahoma, there are about 580,000 people with disabilities and we can serve 15,000–17,000 at any given time). Below are several innovative projects that have helped increase employment of VR consumers with disabilities in Oklahoma. I have also identified several concerns and hopes I have for the future.

WORKING WITH BUSINESS AND INDUSTRY

It has become more and more evident that perhaps the most critical partner to successful innovations serving people with disabilities is the business community. Employers must be seen as a full partner that not only hires the consumers we serve, but helps the agencies clearly understand local business needs. We recently did a small study looking at what kind of jobs our consumers were getting. We worked with the State workforce board to make sure we had a clear understanding of what industries were the growth sector industries and where future jobs would likely be. We discovered a disconnect between some of the jobs we were preparing people for and where the opportunities for these jobs actually existed. Many of our clients were being placed in service industries, customer service, food service, cashiers and clerical positions. When we looked at the Oklahoma labor market, the current and future job openings were in medical fields, the energy industry, technology and manufacturing. These jobs pay better, but employers have specific training needs for people to move into these jobs. By reviewing this information we have now made some changes in our practices. We have local business advisory boards being established. We have also looked at our career planning activities and initiated training that we think will help the local counselor align career planning with local job opportunities.

SERVING TRANSITION-AGE YOUTH

Transition is particularly important. Research reported by the National Collaborative on Workforce and Disability for Youth [1] suggests that if students have positive experiences early on and are provided with work-based experiences (paid or unpaid) while still in school they are likely to experience reduced dropout rates, increased school attendance and more likely to go to college or to work, compared to their peers. Work-based learning experiences are particularly important for students with disabilities. Students participating in these experiences are more likely to be competitively employed than their peers and earn higher wages. If they are able to achieve better wages they will be less likely to use Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI).

[1] Engaging Youth In Work Experiences: An Innovative Strategies Practice Brief located at *http://www.ncwd-youth.info/innovative-strategies/practice-briefs/engaging-youth-in-work-experiences*.

We believe that having a statewide coordinator of transition services helps our agency improve employment and post-secondary outcomes for students with disabilities. There are four transition programs in Oklahoma that I would like to highlight. In Federal fiscal year 2007, Oklahoma had 1,080 paid work experiences for transition-age youth. By 2011, with the support of ARRA funds, this number had risen to 1,861 paid work experiences. Even during 2012, after ARRA funds went away and the agency had extensive waiting lists, there were 1,244 paid placements. These occurred because our statewide coordinator had managed to create contracts with local school districts across the State that resulted in high school students with disabilities obtaining paid employment (typically 10 hours per week at $7.25 per hour during the school years with additional employment opportunities in the summer). These jobs occur in a variety of settings including partnerships with local businesses. Students are paid through agreements with local schools, career technical centers or through temporary employment agencies.

Another successful program focusing on this population is TechNow. TechNow is an innovative program that begins working with students during 9th or 10th grade. This program is a partnership between vocational rehabilitation, career technology centers and local school districts. It is an effort to help transition students think about jobs in technology-related fields and in business. Students are taught marketing, sales and other skills. They learn to operate current business software to develop these skills. As part of this program students create banners, brochures, cereal boxes, cars and other projects. They then market the products in a statewide competition. Local businesses sponsor the competition and work with the students. Although TechNow has operated since 1999, our agency has only been a partner for 4 years.

Three years ago we established a pilot project where we became a primary partner in the project. Our main reason for increasing VR's involvement in this program was based on the project's graduation rates exceeding 94 percent since the inception of the program. In a State-by-State report from the Department of Education (2012), graduation rates for students with disabilities vary from a low of 23 percent to a high of 83 percent (with more than half below 60 percent) for students with disabilities.

High school graduation is particularly important when considering the labor market future of students with disabilities. According to a report from the group Advocacy in Action, high school dropouts earn less than high school graduates across their lifetime, perhaps as much as $270,000 (Goodman, Hazelkorn, Bucholz, Duffy & Kitta, 2011). Graduation rates at TechNow are very promising for students with disabilities. By piloting this project and becoming involved at an earlier age with these students we believe we can connect them to work-based experiences while still in school and increase their likelihood of post-secondary training and/or employment. We also believe we can match them to better career opportunities in technology-related businesses. Over 400 students have been through this program. Additionally, many students earn scholarships to local career technology centers and area colleges.

A multiagency partnership was initiated about 18 months ago between Oklahoma Department of Rehabilitation, the Office of Juvenile Affairs, a local career technical center, the Oklahoma Commission for Children and Youth, and local one-stop employment center. This project works with juvenile offenders who have disabilities and who are in a secure facility. VR counselors are able to take applications for this population while they are still in the facility, initiate an individualized plan for employment, provide career counseling, assist with payment of on the job training (OJT) while still in the facility, and then followup with the students after they are released to their home communities. It is a relatively new program, but all the partners have brought resources to the table. About 50 students have participated in this project thus far. A recent client in the program exemplifies its importance. He was exiting the program and wanted to have a career as a welder but could not get accepted to the training program. He also had housing issues. With the efforts of his rehabilitation counselor he was able to find local housing and get admitted to school. He is currently in training and doing well. If he had not had assistance from VR, he would not have been admitted to training or obtained his current housing. Early results have shown less recidivism for these youth; however, it is too early to make long-term projections since this is a population doubly at risk due to disability and legal problems. We believe it has great promise because of the multiple partners working together to wrap services around these individuals.

Project Search is a national program that many agencies across the country are working with to find successful employment for students upon graduation. In Oklahoma we have managed to have success both in urban and rural communities. Project Search exclusively focuses on students with intellectual disabilities and on

helping these students become competitively employed. It is a program where students work as interns in a business. Project Search is considered a formal class and students will spend a large share of the school year working in the business. Although it originated in hospital settings, we have expanded it to other businesses, most recently to Chesapeake Corporation, a major energy provider. Job coaches work with the students to develop skills and good work habits. When a student completes the internship they begin the job search process. Perhaps the most exciting part of this work is that students are exposed to good jobs and career opportunities. Employment rates vary by facility but most have between 60 percent and 90 percent success. Often the company where the student interned offers a job to the successful student.

ADDRESSING THE FEAR OF LOSING BENEFITS AND HELPING PEOPLE CHOOSE WORK

A significant barrier to work for people with disabilities (both adults and students) is the perception about loss of benefits, particularly medical coverage. It has been our experience that many people want to work and will choose work if they understand what will happen with their benefits and can plan effectively. The Social Security Administration (SSA) had a program for several years where there were "Benefit Planners" who worked with beneficiaries to understand implications of going to work. It has since been discontinued. Although it was generally helpful, we discovered many benefit planners helped people to choose work but to earn only enough money so they could retain benefits. This essentially did not position people to get good jobs where they could leave the SSDI/SSI roles. In Oklahoma, we created a benefit planner program; however we made two critical changes from the SSA program. First we try to refer every consumer who receives SSDI/SSI to a benefit planner who will focus on choosing work. The consumer can make a real choice about work rather than earning an amount below the level where they would lose benefits. If the jobs offered consumers are quality jobs, they can choose work. The second change we made was to ensure that the benefit planners had expertise in other areas, not just social security. Our benefit planners are knowledgeable about social services, veteran's services, housing benefits, etc. When we started this program we had a little over 50 people leave the social security roles, however this past year almost 160 left the roles and we continue to see growth in the program. We are certain it is a model that can be successfully replicated.

As part of our focus on Social Security we have also created a "Ticket-to-Work" team. Ticket-to-Work is a program that can be used by SSDI/SSI recipients to attempt to go to work and leave the roles. Individuals can work with the State vocational rehabilitation agencies or they can work with private providers called employment networks (ENs). Employers, One-stop centers, community rehabilitation providers and a host of others can become ENs. The application process can be overwhelming and we had a very restricted number of ENs in Oklahoma. Our Ticket unit was created to partner with businesses, One-stop centers and others to make it easier for them to become Employment Networks for Social Security's Ticket to Work efforts. We help the business prepare the applications, provide training, work with the potential ENs on the services they need to be able to provide the individual after VR services are completed, so that they can remain stable on the job. The VR case is closed after 90 days of successful employment, but the person does not leave the SSDI/SSI roles until they have had at least 9 months of gainful employment. By partnering with ENs they can follow the individual for a much longer period of time and assist with long-term job stability. As an example, we have been able to partner with HERTZ Corporation as an EN. We would like to work with Social Security to partner with other employers in Oklahoma to become ENs. We continue to help develop other potential ENs. With the longer term followup, we believe it will ultimately help beneficiaries leave SSDI/SSI roles.

LEVERAGING INTERAGENCY PARTNERSHIPS

In Oklahoma, the rehabilitation agency is fortunate, because as the agency director I am a full voting member of the Governor's Workforce Committee. This means that I am at the table with all of the agencies and businesses when programs are developed and decisions are made. We also have representation on every local Workforce Board and every Youth Council. This is not the case in all States. There are States where the vocational rehabilitation agency is represented on the State Workforce Board through their parent agency. We have been able to use board partnerships to increase opportunities for people with disabilities to access employment across the State.

A good example of this partnership is reflected in the statewide Career Pathways initiative and in the specific pilot of Career Pathways in Duncan, OK. This model

is a collaboration between workforce partners (through the Workforce Investment Act), local schools and local businesses. At a statewide level we are affecting policy and helping to develop the model. In this model schools begin a career development process in 6th grade that continues for students through high school. The process includes career guidance, work experiences, career exploration and businesses coming to the school to work with students and the faculty. Exposure to local jobs is provided. The local One-stop Center is a resource and repository of local jobs. Vocational rehabilitation is also at the table. Although this program is for all job seekers, VR is a key player. I am able to be a part of every policy decision and offer my expertise about disability and related concerns. At the local level, the VR counselor serves on the board but is also a key resource to students and adults with disabilities as they move through their career pathway process. Knowing where the jobs are and what employers expect helps vocational rehabilitation and the schools better prepare job seekers to make career decisions.

A national business model known at The NET (National Employment Team) was started by The Council of State Administrators of Vocational Rehabilitation. The NET is a one-company approach to serving a variety of businesses through the national network of the 80 publicly funded vocational rehabilitation (VR) programs. The NET offers business customers, in the private and public sectors, a designated single point of contact to connect qualified applicants, resources and support services in their local area, multi-State or national marketplace. The NET provides employment supports in all 50 States, the District of Columbia and the territories. Employers across the country have had very positive experiences filling jobs with qualified candidates for employment from the pool of workers available through The NET. At a national level, examples include, the Internal Revenue Service (IRS) that has hired 111 people in 31 States and 556 VR consumers hired with Lowe's across the country in fiscal year 2012. On a much smaller scale Oklahoma has had recent hires through The NET with JLodge, Convergys, Pearl Interactive, and Tinker Air Force Base. The Oklahoma VR Agency has also initiated a project with Walgreens as a result of The NET.

Oklahoma VR has additional partnerships with whom we have worked well. There are 25 States that have American Indian Vocational Rehabilitation (AIVR) agencies. There are 9 tribal programs in Oklahoma and over 80 across the country. We are able to cost share consumer services and other resources to help tribal members with disabilities go to work. To date we have co-served more than 700 clients with AIVR programs in Oklahoma. VR started a new program 2 years ago with three of the tribal programs. We contract for job placement services, both for tribal members and non-tribal members. Contracting for services that apply to non-tribal members is unique to Oklahoma. Many of the tribes are amongst the largest employers in the State. By working together we have been able to open an entire new area of employment opportunities. By sharing resources and expertise we are able to expand the capacity of both programs. We are also able to increase services to an underserved group of people and create long-term partnerships.

MANAGING CASES MORE EFFECTIVELY

One of the challenges of managing large caseloads and working under an Order of Selection (OOS) (putting clients on a waiting list when there are not enough fiscal or staff resources to serve everyone), is that some applicants for VR services get lost along the way or simply drop off the wait list. The Rehabilitation Services Administration has cited Oklahoma's "Cold Case Unit" as a model to solve this problem. We created a unit in VR whose sole purpose is to find and contact these consumers and to get them re-established in services or close their cases so that the resources can be assigned to others. The project has been so successful it is now being replicated in at least 5 other States. It has helped us to resolve over 1,000 cases. Of these, more than 600 people have been able to restart the rehabilitation process again in earnest. One of the counselors in this unit actually helped save a life. He arrived at the client's home and saw her small child playing in front of the house and asked to check on her mother. He discovered they were out of food and that the mother had been bedridden for several days. The counselor was able to help her get her medical needs attended to and to get assistance from social services. After her immediate needs were met, the VR counselor was also able to get her involved in training and working toward her employment goal.

There are other innovative programs that are being developed all over the country. We are working with other States on a number of projects . . . reaching across State lines to jointly solve problems. I am certain that partnerships of all kinds will be what drive innovation for agencies serving people with disabilities. If you look at all of our projects, in every single case, partnership created the success. We will

need to reach out more to business and industry, across sister State agencies, schools, and across State lines if we are to continue to have success in helping people with disabilities find work.

RECOMMENDATIONS—MOVING FORWARD

As I look to the future of serving people with disabilities, I am convinced that the public vocational rehabilitation program is the best entity to assure good jobs, career opportunities and bright futures. To achieve Chairman Harkin's goal of increasing the size of the disability labor force by more than 20 percent by 2015, I believe there are some critical actions that need to happen.

• Transition and early intervention are critical to the long-term success of students with disabilities. However, this cannot happen at the expense of serving adults who acquire disabilities. We have dedicated a number of new efforts to transition age youth (many with the help of ARRA funds, which have now had to be reduced without those funds). If we are to continue to be successful, there will need to be dedicated resources to serve transition students, and schools will need to actually fulfill their obligations to transition students. Additionally because each State is so different in the types of partnerships with schools, businesses and other agencies, I do not believe there can be a single national model. States will need to aggressively develop a model that meets their needs based on State resources and partnerships.

• Our country spends far too much money on maintaining people with disabilities outside the workforce and a very small amount on encouraging people with disabilities to work. If you combine the annual costs of SSDI, SSI, Medicaid and Medicare, we spend roughly $400 billion on safety net supports and about $4 billion helping people with disabilities build their skills and go to work. We need an early intervention system with social security that positions people to be referred to vocational rehabilitation at the on-set of disability and that encourages work rather than long-term receipt of income supports. This means that current Social Security Work programs such as Ticket-to-Work need better alignment and cooperation with the public vocational rehabilitation program. We continue to be the most successful program in putting people with disabilities to work. Why not increase our participation? Once people become entrenched in the system, it becomes difficult for them to choose work. It is a much longer discussion, but disincentives have got to be resolved, particularly issues with Medicare and Medicaid, so that people can choose work.

• Every year States return money to the Rehabilitation Services Administration. It is not because the money is not needed; it is because many States cannot meet their Federal match requirements. The money is redistributed through a re-allotment process for States that can match the dollars. The problem is that the rules make it difficult for all the funds to be used and this past year money was returned to the treasury. This is money that could have been used to help people with disabilities go to work. There are two considerations that have merit in resolving this problem. The first is to amend the Rehabilitation Act to allow unmatched Federal funds to go to supported employment which does not require a State match. Recent data collected by the Council of State Administrators of Vocational Rehabilitation (CSAVR), with just 35 State VR agencies reporting to date, revealed expenditures of more than $80 million of title 1 VR funds on supported employment. If unmatched Federal funding, following a reallotment process, could be targeted to supported employment, more title 1 funds would be available to serve greater numbers of transition youth. A second alternative for consideration would be to allow unmatched Federal funds to be available for various innovation efforts. Projects could be attempted that have the potential to change how VR provides services in dynamic ways.

• When ARRA funds were available, the Oklahoma agency was able to serve all individuals who applied for services for the first time in years. There were no waiting lists for services; rather, services were increased, and dramatically greater numbers of VR consumers went to work. The advantage of ARRA funds was that there was no match requirement. For Oklahoma it was $7,000,000 that changed VR's whole business. The availability of some funding that does not require State match could make dramatic difference in increasing the number of VR consumers with disabilities who go to work.

• I also believe it is essential that there remain dedicated funding for services for people with disabilities and qualified vocational rehabilitation staff to provide these services. I remain fearful that if vocational rehabilitation is seen as just a jobs program it will have a long-term negative impact on people with disabilities. We are not just a jobs program; we are a group of uniquely qualified and dedicated people who make a difference in the lives of people with disabilities seeking employment.

• I believe there must be a renewed focus on career counseling and planning activities at all levels. I think there has to be an expanded focus in IDEA legislation. Effective career planning is a game changer for any job seeker, but is even more important for a person with a disability to get the right job match. Effective career counseling in the schools and resources to provide it is essential; however, it has to be considered as a critical need and may require this committee's leadership to have this need included in future legislation.

Thank you for the opportunity to provide this testimony and I look forward to any questions or comments you might have regarding its content.

The CHAIRMAN. Thank you, Mr. O'Brien.

Now we will turn to Mr. Don Uchida, who was also introduced earlier by Senator Hatch. I might just add that he was appointed the executive director of the Utah State Office of Rehabilitation in April 2006. He has a bachelor's degree in psychology from Weber State College and a master's degree in special education from Utah State University. He has worked in vocational rehabilitation for over 44 years—he beat your record, Mr. O'Brien—as a rehabilitation counselor, supervisor, district director, field service coordinator, division director, and his present position as executive director of Utah's State Office of Rehabilitation.

Mr. Uchida, welcome and please proceed.

STATEMENT OF DONALD R. UCHIDA, EXECUTIVE DIRECTOR, UTAH STATE OFFICE OF REHABILITATION, SALT LAKE CITY, UT

Mr. UCHIDA. Good afternoon, Chairman Harkin, Ranking Member Alexander, members of the committee. And I want to give a special thank you to Senator Hatch. My name is Don Uchida. I'm the executive director of the Utah State Office of Rehabilitation.

I appreciate the opportunity to speak to the committee about some innovative programs we have in Utah that we feel can be replicated with similar success in other States. There are three critical factors that will facilitate implementing these ideas and achieve increased numbers of people with disabilities going to work.

The first factor is to have empowered, dedicated staff. Almost all of these ideas came from our staff. The second factor is having strategic partnerships with agencies, organizations, and businesses that have a common vision of employment for people with disabilities. The third factor is having a supportive Governor and a State legislature.

Vocational rehabilitation, or VR, is a revenue generating program. We run the program like a business. Utah's VR program is one of the most productive and cost-effective programs in the Nation.

Now, the partnerships. The first one I'd like to talk about is with our workforce agency. It's called Choose to Work Utah. This is where we co-fund 22 job development, job placement specialists that are strategically placed statewide, and they exclusively serve people with disabilities. There is no overlap. There is no duplication of effort.

The second partnership I'd like to mention is with the Developmental Disabilities Agency. This partnership was created because we had two problems. No. 1, they had a growing wait list for their Medicaid waiver services. And our problem was we needed long-term funding for supported employment. The legislature passed a

bill that provided long-term State funding for supported employment. So we took the people off the DD waiting list, and we moved them into supported employment, and we got them working.

A third example is the Utah Defendant Offender Workforce Development Task force, or UDOWD. This is a partnership that we have with the correctional system in the State of Utah. And the goal is to take offenders with disabilities, get them employed, and maintain their employment so they can become productive members of society.

A fourth partnership is with our workforce agency and our health department. It's called Utah's Work Inventive Planning Service, or UWIPS. Regardless of where the funding comes from or what the funding source is, what agency it comes from, we control all of the benefits planning staff. That way, we have a coordinated, statewide, strategically placed staff that give a consistent message. And that message is "These are the work incentives and the safety nets that are available if you decide to work at a level that will reduce or eliminate your benefits." This has led to a high number of people on SSI and people on SSDI in the State of Utah to go to work.

Our fifth partnership is with the Greater Salt Lake City Chamber of Commerce, and the program is called Disability Friendly Business. This is where our staff works with business owners where they try to get the businesses to be more accessible and accommodating to people with disabilities.

When they finish the training, they sign an agreement with the Chamber of Commerce, they pay a small fee, and then they get these Disability Friendly stickers that they can put on their doors, just like you put your membership to the Chamber or the Rotary Club or "we take Visa and American Express" or whatever. And the idea behind this was if the businesses get more people with disabilities coming in as customers and better their bottom line, they may be more inclined to hire somebody with a disability.

And, finally, gubernatorial and legislative support. In 2007, our Governor signed an executive order designating the intent of the Utah State Government to be the model employer for people with disabilities. In 2010, our legislature created the Alternative State Application Process, or ASAP. This program is based on the Federal Government's Schedule A program.

In conclusion, vocational rehabilitation is a successful program that creates productive citizens with disabilities in the workforce. We've found partnerships to be key in Utah. They lead to cost-effective relationships that sustain current and future employment options for people with disabilities.

Again, thank you for the opportunity to share these ideas, and I'd be happy to answer any questions.

Thank you.

[The prepared statement of Mr. Uchida follows:]

PREPARED STATEMENT OF DONALD R. UCHIDA

SUMMARY

There are three critical factors that will facilitate the implementation of innovative ideas that will increase the numbers of people with disabilities achieving employment outcomes. They are: dedicated, empowered staff; strategic partnerships

with agencies, organizations and businesses that have a common vision of employment for people with disabilities; and having a supportive Governor and Legislature.

Vocational Rehabilitation (VR) is a revenue generating program. We run it like a business. Utah's VR Program is one of the most productive and cost-effective programs in the country. A University of Utah study in 2010 showed that for every dollar the State invested in Utah's VR Program there was a $5.64 return.

Partnership with our Workforce Agency. It is called Choose to Work Utah (CTW). We co-fund 22 employment specialists who develop and place people with disabilities into jobs. Their work is coordinated so there is no duplication of effort. In fiscal year 2012, CTW placed 617 people with disabilities into employment.

Partnership with Developmental Disabilities Agency. This was created to address two problems: they had a growing wait list for Medicaid Waiver Services and we needed long-term funding for supported employment. The Legislature passed a long-term funding bill for supported employment. We took people off the back end of the waiting list and put them into supported employment so they began working and not just sitting and waiting collecting SSI payments. Since we received funding in fiscal year 2012, 84 people with significant disabilities are working in supported employment.

Partnership with Utah Defendant Offender Workforce Development Task force (UDOWD). This was between the correctional system and VR, with the goal of assisting offenders with disabilities to obtain and retain employment and to become productive members of society. In fiscal year 2012, 544 offenders with disabilities were placed into employment.

Partnership with Workforce and Health Department. Utah Work Incentive Planning Service (UWIPS). We control all the work incentive planning staff. Statewide coordinated coverage with a consistent message of "these are the incentives and safety nets available to you if you decide to work at a level that will reduce or eliminate your Social Security benefits". In fiscal year 2012, 671 people on SSI/SSDI achieved an employment outcome.

Partnership with Business. We are members of a national employment network called the NET, but one partnership that is unique to Utah is with the Greater Salt Lake City Chamber of Commerce. It is called Disability Friendly Business. Staff work with business owners to help make their businesses more accessible to people with disabilities. When they complete the training and sign the agreement, they get a certificate and "Disability Friendly Business" stickers they can display like Chamber memberships, Rotary, VISA, Master Card, etc. The idea behind this is that if more people with disabilities frequent their business, they may be more inclined to hire people with disabilities. Estimate due to self report: 44 hired by Disability Friendly Businesses.

Finally, support from our Governor and Legislature. In 2007 our Governor signed an Executive order "Designating the Intent of Utah State Government to be the Model Employer for People with Disabilities". In 2010, our legislature created the "Alternative State Application Process" (ASAP). This program is modeled after the Federal Schedule A Program where an otherwise qualified person with a disability can bypass the usual competitive application process and can get hired through a trial work period. Although much of the State has been on a hiring freeze or even cut backs, Division of Human Resource Management reported eight hires through ASAP.

Vocational Rehabilitation is a successful program that creates productive citizens with disabilities in the workforce. We found that partnerships are key to success in Utah. They lead to cost-effective relationships that sustain current and future employment options for people with disabilities.

Thank you for the opportunity to share these ideas.

Good morning Chairman Harkin, Ranking Member Alexander, and members of the committee, with a special "Thank You" to Senator Hatch. My name is Don Uchida. I am the executive director of the Utah State Office of Rehabilitation (USOR). I started working for the agency in 1968 as a vocational rehabilitation counselor. Later, I was promoted to supervisor, then district director, field services director, division director and in 2006, I was appointed to my current position as executive director of the agency. I am also the parent of an adult child with multiple disabilities. I truly appreciate the opportunity to speak to the committee about some innovative ideas we are implementing in Utah that we feel may be replicated with similar success in other States.

The primary purpose of USOR and other rehabilitation agencies throughout the country is to get jobs for people with disabilities. The 2012 Annual Compendium of Disability Statistics indicates that Utah has the smallest difference or gap between

the percentages of people with disabilities working full time, year round as compared to people without disabilities working full-time year round. (Attachment 1) This would indicate that what we are doing appears to be working and working well.

We have identified three critical factors that we feel will increase the numbers of individuals with disabilities obtaining employment.

The first factor is having dedicated professional, empowered staff. The second factor is having strategic partnerships with agencies, organizations and businesses that have a common vision of employment for people with disabilities. The third factor is having a supportive Governor and State Legislature willing to work within rules and guidelines provided by Federal agencies.

Vocational Rehabilitation (VR) can be a revenue generating program. In Utah, we effectively use Federal and State dollars to train, re-train and sustain people in employment who then become productive taxpayers. Over time, our investment consistently provides a return. In 2010, the University of Utah conducted a study and determined that every State dollar invested in Utah's vocational rehabilitation program had a return of $5.64. (Attachment 2) We run the program like a business. Utah's VR Program is one of the most productive and cost-effective programs in the Nation with the second lowest cost per successful rehabilitation in Federal Region VIII. (Attachment 3) Nationally, we are the eighth most productive combined agency with the eighth lowest cost per successful rehabilitation.(Attachment 4)

Utah's VR program is unique within the Federal–State VR partnership. Utah's VR accomplishments are especially noteworthy given the diverse population of citizens with disabilities living in Utah and complex geography of the State. We serve a growing refugee and immigrant population from all over the world in our larger cities. We are fortunate in that many of our staff served as missionaries to foreign countries for the Mormon Church and are fluent in a wide variety of languages. Utah covers 84,900 square miles of land and our population is estimated at 2,817,222. About 80 percent of the people live in a narrow strip of land, that is 100 miles long and 15 miles wide, called the Wasatch Front. The remaining 20 percent are scattered throughout the State in small rural communities. This requires us to have many one and two counselor offices that cover vast areas of land to serve this population.

These unique features of Utah allow for innovative VR programs to be tried and tested. I am pleased to share with you some of our success in improving the lives of people with disabilities through meaningful employment.

The three factors I mentioned previously are effectively demonstrated by five Utah VR programs:

Partnership with the Department of Workforce Services (DWS). Choose to Work Utah (CTW) is a project originally created to address a lack of job placement resources for people with disabilities in a five county area in rural southwest Utah. With the passage of the Workforce Investment Act (WIA) in 1998, it was agreed upon to expand the project statewide. CTW is a partnership between USOR and DWS where employment specialists are co-funded by both agencies. These 22 specialists provide job development and job placement exclusively for individuals with disabilities and are strategically placed throughout the State. These specialists include two who work specifically with individuals who are blind and one who is fluent in American Sign Language (ASL). Their work is coordinated by a leadership team from both agencies so there is no duplication of effort or services and resulted in 617 successful job placements in fiscal year 2012. (Attachment 5)

Partnership with Developmental Disabilities Agency. Support Work Independence is a partnership between USOR and the Division of Services for People with Disabilities (DSPD), Utah's Developmental Disabilities Agency. Utah's legislature identified and addressed two problems: First, there was an inability to place individuals with the most significant disabilities into supported employment because there was not a reasonable expectation of long-term funding being available. Second, there were a growing number of people on the waiting list for costly Medicaid services. DSPD's waiting list is based on the same principle as the Order of Selection is to the VR System—those with the most significant disabilities or need are served first. The idea behind this partnership is to address the DSPD waiting list from the back or low priority side and it also gave USOR a source of long-term funding for consumers in supported employment. Those individuals would no longer just sit, wait and collect SSI or more expensive Medicaid services; they went to work, reduced their cash benefits, increased their income and paid taxes. In fiscal year 2012, DSPD had 156 individuals participating with 84 of them employed. Additionally, USOR successfully closed 59 individuals in supported employment and transferred them to DSPD for the long-term funding. (Attachment 6)

Partnership with Utah Defendant Offender Workforce Development (UDOWD) Task force. The UDOWD Task force established in the fall of 2009 as a partnership between Federal, State, and local law enforcement, USOR, non-profit and religious organizations. UDOWD's primary goal is to assist offenders in the legal system to obtain employment and to become productive members of society. We want to end the cycle of re-offenders. We assigned VR counselors in several offices to work with individuals with disabilities who are offenders. These VR counselors are trained by the National Institute of Corrections (NIC) and are certified as Offender Workforce Development Specialists (ODWS). Services provided to eligible offenders by USOR include treatment, training, placement, and other services designed to remove barriers to successful employment. The employment rate for offenders who complete the UDOWD program is between 65 percent to 70 percent, which is well above the national and local recidivism rate for return offenders. The annual cost for incarceration is about $28,000. Substantial savings to the taxpayer are realized. (Attachment 7)

In fiscal year 2011, 252 offenders with disabilities were successfully employed. In fiscal year 2012, there were 544 offenders with disabilities who successfully found and maintained employment. (Attachment 8)

Partnership with DWS and the Health Dept. Work Ability Project. USOR's Work Incentive Planning Service (UWIPS) helps people receiving Social Security disability benefits (SSI or SSDI) understand how employment impacts their Social Security and other benefits (including Medicaid, Medicare, food stamps, housing). The primary goal, however, is to inform recipients and beneficiaries about the work incentives and safety nets available to them if they decide to work. If you cannot convince the individual that it is in their best interest to try working at a level that will get them off of benefits, increase their disposable income, and improve their quality of life, nothing else you do for them in the VR program is going to make that big of a difference. In Utah, Benefits Specialists, Work Incentive Planners, Community Work Incentive Coordinators (CWIC)—whatever name or acronym you call them—are all under USOR supervision. Funding from DWS and the Health Department comes to USOR via interdepartmental transfers. Funding from Social Security ended in 2012 but we felt this is such a critical service that we continue to fund it with Cost Reimbursement program income. USOR is successful in helping SSI/SSDI recipients obtain gainful employment and reduce or eliminate use of Social Security.(Attachments 9, 10, and 11) In fiscal year 2012, 671 recipients and beneficiaries of SSI and SSDI were successfully placed into employment.

Partnerships with Business: National Employment Team (the NET), and Greater Salt Lake City Chamber Disability Friendly Business. We are members of the Council of State Administrators for Vocational Rehabilitation (CSAVR) National Employment Team or The NET. The NET has helped us with national business contacts and contacts with Federal Agencies. In fiscal year 2012 we had the following successful placements: Lowe's–8, Marriott–3, the BLM–2, U.S. Forest Service–3 and the IRS–7.

Disability Friendly Business is a partnership with the Greater Salt Lake City Chamber of Commerce. (Attachment 12) Staff works with business owners to help make their businesses more accessible to people with disabilities. Businesses go through a self-assessment, get training on accessibility and accommodations as well as tips on communicating with individuals with disabilities. Upon completion of the training, the business signs an agreement with the chamber, pays a small fee and receives a "Disability Friendly Business" endorsement sticker. If more people with disabilities frequent their business, they may be more inclined to hire someone with a disability.

Although it is difficult to track the exact number of individuals with disabilities that were hired exclusively through Disability Friendly Business partnerships, we estimate at least 44 individuals with disabilities were hired in fiscal year 2012 based on self report from consumers, chamber and counselor feedback.

GUBERNATORIAL AND LEGISLATIVE SUPPORT

• In October 2007, Utah's Governor signed an executive order "Designating the Intent of Utah State Government to be the Model Employer for People with Disabilities."

• In 2010, the legislature created the "Alternative State Application Process" (ASAP) so an otherwise qualified individual with a disability could bypass the regular competitive State employment application process by going through a "Trial Work Period". If successful, the worker would then enter into the standard probationary work period and become a typical State employee. This is based on the Federal Government's Schedule A process. Although the program did not get fully oper-

ational until 2011, and with many State agencies still facing budget cuts and hiring freezes, the Division of Human Resource Management (DHRM) reported that there have been 8 individuals with disabilities hired through ASAP.

In conclusion: Having a job and working is essential in improving the quality of life and increasing the level of independence for people with disabilities. I will use my daughter as an example. She has Autism, Epilepsy and Crohn's Disease and despite the fact that her medical conditions limit her to part-time employment, she loves her job, is eager to go to work and sees herself as a productive contributing member of society. We feel the ideas and innovations we implemented here will help others like my daughter obtain and sustain meaningful employment now and in the future.

ATTACHMENT 1—2012 ANNUAL COMPENDIUM OF DISABILITY STATISTICS

Table 2.13: Employment: Full-Time, Year-Round (FTYR) Gap—Civilians Ages 18 to 64 Years Living in the Community for the United States and States, by Disability Status: 2011

State	Gap (Between no disability and disability)		
	Disability (In percent)	No disability (In percent)	Gap change (percent pts)
U.S.	18.8	49.1	30.4
AL	16.5	49.2	32.7
AK	24.7	49.7	25.0
AZ	18.6	47.0	28.4
AR	19.1	50.6	31.5
CA	17.0	44.6	27.6
CO	24.2	50.9	26.7
CT	19.9	50.4	30.5
DE	19.9	50.4	30.5
DC	17.7	55.0	37.4
FL	17.0	47.8	30.8
GA	17.1	55.0	37.4
HI	23.8	52.9	29.0
ID	21.2	45.8	24.6
IL	18.4	49.2	30.8
IN	20.1	49.2	29.2
IA	21.6	55.6	34.0
KS	25.9	54.9	28.9
KY	14.9	48.6	33.7
LA	19.7	49.4	29.6
ME	17.7	50.9	3.2
MD	22.5	54.9	32.4
MA	15.8	50.5	34.7
MI	15.2	44.0	28.8
MN	21.4	52.6	31.2
MS	16.2	47.6	31.4
MO	18.8	51.5	32.7
MT	21.4	48.8	27.4
NE	26.5	57.0	30.6
NV	23.7	47.7	24.0
NH	21.1	54.1	33.0
NJ	19.9	51.1	31.2
NM	18.7	47.1	28.4
NY	18.0	49.6	31.5
NC	18.1	49.1	31.0
ND	32.2	57.4	25.3
OH	17.6	49.8	32.2
OK	21.7	52.6	30.9
OR	17.4	43.6	26.2
PA	17.8	50.4	32.6
RI	17.7	50.1	32.5
SC	15.7	48.2	32.5
SD	29.5	58.6	29.1
TN	17.0	50.0	33.0
TX	23.1	51.7	28.6
UT	23.7	46.9	23.2
VT	17.6	52.5	35.0

Table 2.13: Employment: Full-Time, Year-Round (FTYR) Gap—Civilians Ages 18 to 64 Years Living in the Community for the United States and States, by Disability Status: 2011—Continued

State	Gap (Between no disability and disability)		
	Disability (In percent)	No disability (In percent)	Gap change (percent pts)
VA	20.8	54.7	33.9
WA	19.4	47.9	28.5
WV	15.4	48.7	33.3
WI	20.6	51.6	31.0
WY	31.9	56.3	24.4
PR	14.8	35.0	20.2

Table 2.13: In 2011, the FTYR employment rate for individuals with disabilities ages 18 to 64 years living in the community was 18.8 percent, while the FTYR—employment rate for individuals without disabilities ages 18 to 64 years living in the community was 49.1 percent—a gap of 30.4 percentage points. The FTYR employment gap was greatest in the District of Columbia (37.4 percentage points) and smallest in Utah (23.2 percentage points).

Source: U.S. Census Bureau, 2011 American Community Survey, American FactFinder, Table C23023; <http://factfinder2.census.gov>; (accessed 27 September 2012). Based on a sample and subject to sampling variability. ***See http://disabilitycompendium.org/compendium-statistics*** for complete report.

ATTACHMENT 2—UTAH ECONOMIC IMPACT STUDY [1]

Background

The purpose of this study was to find out what are the tangible benefits of the vocational rehabilitation program in the form of benefits to individual participants and to the State of Utah. The study included 6030 vocational rehabilitation consumers that were closed from services in FY 2005. The control group were 2058 individuals that were eligible but for whatever reason chose not to participate before closure and 3972 were the program group that did receive services. Earnings information for the study was taken from unemployment insurance data matched to cases for quarterly earnings for 3 years before application and 3 years after closure.

Results

- The impact on earnings for those who did receive services compared to those that did not was **$3,534** for the first year after services, **$3,347** in the second year and **$2,976** in the third year.
- The average annual increase in earnings for these 6030 consumers is **$3,360.**
- Those who received services are **16%** likely to be employed than those that were closed before services were provided.
- The reduction in public benefits for these consumers results in **$32,231,036** in savings.
- Federal dollars and impact factored separately are not included in the return on investment figure below.
- **Return on Investment:** For each State dollar spent, ***$5.64*** is returned to State in terms of increased taxes and decrease benefits from public programs.

To access full report click on: *http://www.usor.utah.gov/publications/usor-economic-impact-study/*.

[1] Authored by Sarah Wilhelm and Jennifer Robinson, The Center for Public Policy & Administration, 260 So. Central Campus Dr., Room 214, Salt Lake City, UT 84112, (801) 581–6781.

Attachment 3—Ten State Comparison Study Fiscal Year 2011–12

	UTAH	Colorado	Idaho (General)	Montana	Nevada	North Dakota	Oregon	S. Dakota (General)	S. Dakota (Blind/ Visually Impaired)	Wyoming
Fiscal Year 2011:										
Number of Clients Placed in Jobs	3,587	2,348	2,083	776	947	76	1,793	719	115	676
Average Number Placed in Jobs per Counselor	28	17	29	19	21	18	14	19	18	23
Cost per Client Rehabilitated	$10,559	$17,108	$7,432	$15,154	$19,659	$13,348	$21,784	$14,127	$22,258	$13,196
Average Caseload Size	232	144	130	197	139	165	123	157	102	189
Fiscal Year 2012:										
Number of Clients Placed in Jobs	3,427	2,496	1,814	830	852	708	2,032	823	120	678
Average Number Placed in Jobs per Counselor	27	20	25	20	19	17	17	21	17	23
Cost per Client Rehabilitated	$10,760	$16,245	$8,966	$16,239	$14,596	$14,519	$19,368	$10,039	$19,419	$13,650
Average Caseload Size	230	157	182	194	130	139	124	147	181	190

ATTACHMENT 4—ARSA PERFORMANCE OF COMBINED AGENCIES FISCAL YEAR 2011
TABLE 4.

Table 4. **Performance of Combined VR Agencies, FY 2011**

State	Number of Eligible Individuals	Number of Eligible Individuals per Million of State Population	Number of Plans	Number of Cases Closed with Employment	Rehabilitation Rate	Percent Transition Age	Percent Working 35 or More Hours per Week	Mean Hourly Wage	Percent Closed in Supported Employment	Mean Cost per Rehabilitation
California (OOS)	40,643	1,078	70,987	11,602	43.30%	33.80%	46.20%	$12.07	15.20%	$5,340.55
Pennsylvania (OOS)	27,268	2,140	64,594	9,887	50.90%	34.40%	60.00%	$12.36	3.40%	$4,736.75
Illinois (OOS)	21,421	1,665	24,392	4,982	54.60%	44.70%	36.80%	$10.43	10.00%	$4,257.09
Georgia (OOS)	17,270	1,760	24,403	4,702	62.60%	44.40%	62.10%	$9.46	10.90%	$3,247.64
Mississippi (OOS)	9,733	3,268	15,243	4,559	73.70%	24.20%	63.70%	$11.03	2.40%	$4,045.94
Alabama	9,948	2,071	25,317	4,547	58.60%	51.50%	56.00%	$9.71	6.30%	$4,345.69
Indiana (OOS)	14,071	2,159	17,485	4,404	53.40%	30.80%	44.60%	$11.34	22.40%	$6,784.55
Utah	13,485	4,787	20,502	3,587	61.10%	27.90%	63.90%	$11.10	3.40%	$4,188.50
Ohio (OOS)	17,687	1,532	18,901	3,373	46.00%	33.80%	44.10%	$11.16	0.00%	$8,221.52
Wisconsin (OOS)	22,184	3,884	21,438	2,973	58.50%	32.50%	36.20%	$11.15	12.00%	$8,564.82
Oklahoma (OOS)	11,147	2,940	18,137	2,812	56.20%	36.30%	64.80%	$11.02	87.80%	$6,453.10
Puerto Rico	13,418	3,620	30,359	2,711	72.50%	67.60%	46.00%	$8.71	7.40%	$7,139.82
West Virginia	8,385	4,519	11,002	2,537	74.30%	39.00%	68.00%	$11.69	4.50%	$5,024.05
Combined Agency Average	**9,601**	**2,724**	**14,962**	**2,522**	**52.90%**	**36.10%**	**52.10%**	**$11.22**	**13.00%**	**$5,406.93**
Maryland (OOS)	9,089	1,559	14,758	2,437	44.50%	34.10%	40.40%	$10.97	24.00%	$4,040.15
Colorado (OOS)	10,093	1,973	10,489	2,349	53.90%	32.30%	42.00%	$11.98	21.30%	$4,182.22
Louisiana (OOS)	8,127	1,776	18,323	2,313	48.40%	37.40%	60.00%	$12.17	17.10%	$7,654.84
National Average	8,165	1,947	12,616	2,229	54.00%	34.60%	51.30%	$11.31	12.50%	$5,149.12
Tennessee (OOS)	7,981	1,246	14,324	1,734	42.10%	44.30%	42.70%	$10.26	14.20%	$8,378.75
Kansas (OOS)	7,757	2,702	9,857	1,624	48.40%	28.80%	45.00%	$9.83	9.10%	$6,878.45
New Hampshire	5,298	4,019	5,250	1,085	61.20%	25.80%	43.50%	$12.61	6.20%	$4,117.29
Nevada	4,405	1,618	3,918	947	52.50%	21.70%	53.80%	$11.96	4.20%	$3,271.82
Arizona (OOS)	6,712	1035	10,022	945	36.40%	44.90%	60.90%	$11.09	11.60%	$10,633.45
Montana	4,188	4,196	4,514	776	47.80%	21.20%	42.00%	$10.88	10.40%	$5,930.43
North Dakota	3,533	5,166	3,729	761	62.20%	37.50%	61.60%	$12.07	6.20%	$5,682.04
Rhode Island (OOS)	2,764	2,629	4,383	717	60.70%	38.90%	34.70%	$10.89	14.50%	$4,650.84
Wyoming	2,784	4,900	3,549	675	60.40%	24.80%	53.90%	$11.97	24.90%	$4,525.90
District of Columbia (OOS)	2,777	4,494	4,756	660	35.50%	26.20%	70.30%	$13.46	27.40%	$3,488.41
Alaska	2,340	3,238	2,369	634	65.30%	19.60%	63.00%	$14.39	6.20%	$5,488.30
Hawaii (OOS)	1,798	1308	4,526	240	34.60%	36.90%	44.50%	$12.01	2.50%	$6,935.17
Virgin Islands	427	3,897	465	57	65.50%	37.90%	61.20%	$11.77	5.30%	$11,536.35
Northern Marianas	89	1996	111	36	81.80%	11.40%	81.80%	$16.13	0.00%	$4,264.56
American Samoa	199	2,924	428	24	100.00%	12.50%	25.00%	$11.90	0.00%	$4,701.04
Guam	198	1,066	256	21	42.00%	42.00%	61.50%	$15.12	23.80%	$9,528.10

http://rsa.ed.gov Footnote #4

Table 4. **Performance of Combined VR Agencies, FY 2011**

State	Number of Eligible Individuals	Number of Eligible Individuals per Million of State Population	Number of Plans	Number of Cases Closed with Employment	Rehabilitation Rate	Percent Transition Age	Percent Working 35 or More Hours per Week	Mean Hourly Wage	Percent Closed in Supported Employment	Mean Cost per Rehabilitation
Northern Marianas	89	1996	111	36	81.80%	11.40%	81.80%	$16.13	0.00%	$4,264.56
District of Columbia (OOS)	2,777	4,494	4,756	660	35.50%	26.20%	70.30%	$13.46	27.40%	$3,488.41
West Virginia	8,385	4,519	11,002	2,537	74.30%	39.00%	68.00%	$11.69	4.50%	$5,024.05
Oklahoma (OOS)	11,147	2,940	18,137	2,812	56.20%	36.30%	64.80%	$11.02	87.80%	$6,453.10
Utah	13,485	4,787	20,502	3,587	61.10%	27.90%	63.90%	$11.10	3.40%	$4,188.50
Mississippi (OOS)	9,733	3,268	15,243	4,559	73.70%	24.20%	63.70%	$11.03	2.40%	$4,045.94
Alaska	2,340	3,238	2,369	634	65.30%	19.60%	63.00%	$14.39	6.20%	$5,488.30
Georgia (OOS)	17,270	1,760	24,403	4,702	62.60%	44.40%	62.10%	$9.46	10.90%	$3,247.64
North Dakota	3,533	5,166	3,729	761	62.20%	37.50%	61.60%	$12.07	6.20%	$5,682.04
Guam	198	1,066	256	21	42.00%	42.00%	61.50%	$15.12	23.80%	$9,528.10
Virgin Islands	427	3,897	465	57	65.50%	37.90%	61.20%	$11.77	5.30%	$11,536.35
Arizona (OOS)	6,712	1035	10,022	945	36.40%	44.90%	60.90%	$11.09	11.60%	$10,633.45
Pennsylvania (OOS)	27,268	2,140	64,594	9,887	50.90%	34.40%	60.00%	$12.36	3.40%	$4,736.75
Louisiana (OOS)	8,127	1,776	18,323	2,313	48.40%	37.40%	60.00%	$12.17	17.10%	$7,654.84
Alabama	9,948	2,071	25,317	4,547	58.60%	51.50%	56.00%	$9.71	6.30%	$4,345.69
Wyoming	2,784	4,900	3,549	675	60.40%	24.80%	53.90%	$11.97	24.90%	$4,525.90
Nevada	4,405	1,618	3,918	947	52.50%	21.70%	53.80%	$11.96	4.20%	$3,271.82
Combined Agency Average	**9,601**	**2,724**	**14,962**	**2,522**	**52.90%**	**36.10%**	**52.10%**	**$11.22**	**13.00%**	**$5,406.93**
National Average	8,165	1,947	12,616	2,229	54.00%	34.60%	51.30%	$11.31	12.50%	$5,149.12
California (OOS)	40,643	1,078	70,987	11,602	43.30%	33.80%	46.20%	$12.07	15.20%	$5,340.55
Puerto Rico	13,418	3,620	30,359	2,711	72.50%	67.60%	46.00%	$8.71	7.40%	$7,139.82
Kansas (OOS)	7,757	2,702	9,857	1,624	48.40%	28.80%	45.00%	$9.83	9.10%	$6,878.45
Indiana (OOS)	14,071	2,159	17,485	4,404	53.40%	30.80%	44.60%	$11.34	22.40%	$6,784.55
Hawaii (OOS)	1,798	1308	4,526	240	34.60%	36.90%	44.50%	$12.01	2.50%	$6,935.17
Ohio (OOS)	17,687	1,532	18,901	3,373	46.00%	33.80%	44.10%	$11.16	0.00%	$8,221.52
New Hampshire	5,298	4,019	5,250	1,085	61.20%	25.80%	43.50%	$12.61	6.20%	$4,117.29
Tennessee (OOS)	7,981	1,246	14,324	1,734	42.10%	44.30%	42.70%	$10.26	14.20%	$8,378.75
Colorado (OOS)	10,093	1,973	10,489	2,349	53.90%	32.30%	42.00%	$11.98	21.30%	$4,182.22
Montana	4,188	4,196	4,514	776	47.80%	21.20%	42.00%	$10.88	10.40%	$5,930.43
Maryland (OOS)	9,089	1,559	14,758	2,437	44.50%	34.10%	40.40%	$10.97	24.00%	$4,040.15
Illinois (OOS)	21,421	1,665	24,392	4,982	54.60%	44.70%	36.80%	$10.43	10.00%	$4,257.09
Wisconsin (OOS)	22,184	3,884	21,438	2,973	58.50%	32.50%	36.20%	$11.15	12.00%	$8,564.82
Rhode Island (OOS)	2,764	2,629	4,383	717	60.70%	38.90%	34.70%	$10.89	14.50%	$4,650.84
American Samoa	199	2,924	428	24	100.00%	12.50%	25.00%	$11.90	0.00%	$4,701.04

http://rsa.ed.gov

Table 4. Performance of Combined VR Agencies, FY 2011

State	Number of Eligible Individuals	Number of Eligible Individuals per Million of State Population	Number of Plans	Number of Cases Closed with Employment	Rehabilitation Rate	Percent Transition Age	Percent Working 35 or More Hours per Week	Mean Hourly Wage	Percent Closed in Supported Employment	Mean Cost per Rehabilitation
Georgia (OOS)	17,270	1,760	24,403	4,702	62.60%	44.40%	62.10%	$9.46	10.90%	$3,247.64
Nevada	4,405	1,618	3,918	947	52.50%	21.70%	53.80%	$11.96	4.20%	$3,271.82
District of Columbia (OOS)	2,777	4,494	4,756	660	35.50%	26.20%	70.30%	$13.46	27.40%	$3,488.41
Maryland (OOS)	9,089	1,559	14,758	2,437	44.50%	34.10%	40.40%	$10.97	24.00%	$4,040.15
Mississippi (OOS)	9,733	3,268	15,243	4,559	73.70%	24.20%	63.70%	$11.03	2.40%	$4,045.94
New Hampshire	5,298	4,019	5,250	1,085	61.20%	25.80%	43.50%	$12.61	6.20%	$4,117.29
Colorado (OOS)	10,093	1,973	10,489	2,349	53.90%	32.30%	42.00%	$11.98	21.30%	$4,182.22
Utah	13,485	4,787	20,502	3,587	61.10%	27.90%	63.90%	$11.10	3.40%	$4,188.50
Illinois (OOS)	21,421	1,665	24,392	4,982	54.60%	44.70%	36.80%	$10.43	10.00%	$4,257.09
Northern Marianas	89	1996	111	36	81.80%	11.40%	81.80%	$16.13	0.00%	$4,264.56
Alabama	9,948	2,071	25,317	4,547	58.60%	51.50%	56.00%	$9.71	6.30%	$4,345.69
Wyoming	2,784	4,900	3,549	675	60.40%	24.80%	53.90%	$11.97	24.90%	$4,525.90
Rhode Island (OOS)	2,764	2,629	4,383	717	60.70%	38.90%	34.70%	$10.89	14.50%	$4,650.84
American Samoa	199	2,924	428	24	100.00%	12.50%	25.00%	$11.90	0.00%	$4,701.04
Pennsylvania (OOS)	27,268	2,140	64,594	9,887	50.90%	34.40%	60.00%	$12.36	3.40%	$4,736.75
West Virginia	8,385	4,519	11,002	2,537	74.30%	39.00%	68.00%	$11.69	4.50%	$5,024.05
National Average	8,165	1,947	12,616	2,229	54.00%	34.60%	51.30%	$11.31	12.50%	$5,149.12
California (OOS)	40,643	1,078	70,987	11,602	43.30%	33.80%	46.20%	$12.07	15.20%	$5,340.55
Combined Agency Average	**9,601**	**2,724**	**14,962**	**2,522**	**52.90%**	**36.10%**	**52.10%**	**$11.22**	**13.00%**	**$5,406.93**
Alaska	2,340	3,238	2,369	634	65.30%	19.60%	63.00%	$14.39	6.20%	$5,488.30
North Dakota	3,533	5,166	3,729	761	62.20%	37.50%	61.60%	$12.07	6.20%	$5,682.04
Montana	4,188	4,196	4,514	776	47.80%	21.20%	42.00%	$10.88	10.40%	$5,930.43
Oklahoma (OOS)	11,147	2,940	18,137	2,812	56.20%	36.30%	64.80%	$11.02	87.80%	$6,453.10
Indiana (OOS)	14,071	2,159	17,485	4,404	53.40%	30.80%	44.60%	$11.34	22.40%	$6,784.55
Kansas (OOS)	7,757	2,702	9,857	1,624	48.40%	28.80%	45.00%	$9.83	9.10%	$6,878.45
Hawaii (OOS)	1,798	1308	4,526	240	34.60%	36.90%	44.50%	$12.01	2.50%	$6,935.17
Puerto Rico	13,418	3,620	30,359	2,711	72.50%	67.60%	46.00%	$8.71	7.40%	$7,139.82
Louisiana (OOS)	8,127	1,776	18,323	2,313	48.40%	37.40%	60.00%	$12.17	17.10%	$7,654.84
Ohio (OOS)	17,687	1,532	18,901	3,373	46.00%	33.80%	44.10%	$11.16	0.00%	$8,221.52
Tennessee (OOS)	7,981	1,246	14,324	1,734	42.10%	44.30%	42.70%	$10.26	14.20%	$8,378.75
Wisconsin (OOS)	22,184	3,884	21,438	2,973	58.50%	32.50%	36.20%	$11.15	12.00%	$8,564.82
Guam	198	1,066	256	21	42.00%	42.00%	61.50%	$15.12	23.80%	$9,528.10
Arizona (OOS)	6,712	1035	10,022	945	36.40%	44.90%	60.90%	$11.09	11.60%	$10,633.45
Virgin Islands	427	3,897	465	57	65.50%	37.90%	61.20%	$11.77	5.30%	$11,536.35

http://rsa.ed.gov

Attachment 5—Choose to Work Brochure

CHOOSE TO WORK UTAH

Increasing Employment Opportunities for People with Disabilities

Utah State Office of Rehabilitation & Utah Department of Workforce Services

What Is Choose to Work Utah?

Choose to Work (CTW) is a partnership program between the Utah State Office of Rehabilitation (USOR) and the Utah Department of Workforce Services (DWS). This project is designed to meet the employment needs of Utah businesses by providing them with qualified and job ready individuals. CTW Employment Specialists provide statewide job development and placement services to Utah job seekers with disabilities, offering employers a source of job applicants. Applicants' skills range from entry level to professional in virtually all job categories.

Services Offered to Employers

- **Job Development**: Providing a personalized match for employers' needs with qualified job seekers.
- **Job Placement Services**: Linking employers with qualified applicants.
- **Employer Assistance**: Consultations on topics such as ADA, accommodations, barriers and sensitivity training.
- **Employment Preparation**: Prepares job seekers to meet employers' needs by providing employment readiness services.
- **On-The-Job Training**: Funds are available through the two agencies to financially assist employers when an employee needs training at the job site.
- **Employment Support Services**: Enables persons with disabilities to adapt to the employers' needs by providing assistive technology, assisting with accommodations and offering employment supports.
- **Bonding**: The Department of Workforce Services can provide fidelity bonding insurance for job seekers at no cost as needed.

Financial Incentives and Resources

- **Supported Job-Based Training (SJBT)**
- **Work Opportunity Tax Credit (WOTC)**
- **Job Accommodation Network (JAN)**
- **Welfare to Work Tax Credit (WTW)**
- **Disability and Business Technical Assistance Center (DBTAC)**
- **Employment Personal Assistance Services (EPAS)**
- **Medicaid Work Incentive (MWI)**
- **Supported Employment (SE)**
- **Assistive Technology (AT)**
- **Ticket to Work (TTW)**

Hiring Your Workforce

- Contact us about posting your positions and prescreening your applicants through the Using People with Disabilities Network (PWDNET).
- Contact us to participate in bi-annual workshops and job fairs

Benefits of Hiring Through Choose to Work Utah

- Employees with disabilities can ease concerns about workforce labor supply.
- People with disabilities have equal or higher job performance rates, higher retention rates and lower absenteeism.
- A diverse workforce can create better solutions to business challenges.
- Companies that hire and accommodate people with disabilities in their workplace can receive tax credits.
- A person with a disability can motivate workgroups and increase productivity.
- People with disabilities bring unique characteristics and skills to the workforce.
- Employees with disabilities represent a large customer base, and can give businesses an inside advantage on marketing to that customer base.

What Utah Employers Are Saying

"Employing persons with disabilities is not what we do. What we do is hire persons with abilities." - Chuck Krivanek, HR Manager, InterContinental Hotels Group

"I liked all the support that was provided to the employers." - Valerie Taylor, Recruiter, Wells Fargo

"The individuals we have hired... have proven to be well qualified and an excellent match for our company!" - Staci Ditzer HR Specialist, Marriott

Choose to Work Utah
250 East 500 South
Salt Lake City, Utah 84111
PH: (801) 538-7590
FAX: (801) 538-7522
PH: (801) 526-9730
FAX: (801) 526-9709
WWW.JOBS.UTAH.GOV
WWW.USOR.UTAH.GOV
WWW.GOODWORKUTAH.COM

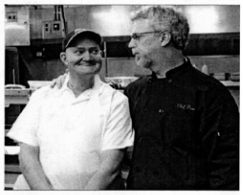
ATTACHMENT 6—2013 SUPPORTED EMPLOYMENT HANDOUT

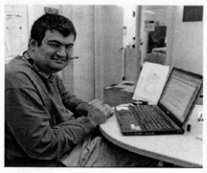
SupportWorkIndependence

Summary: Supported Work Independence (SWI) is a program designed to assist individuals with the most significant disabilities to obtain and maintain competitive employment while waiting for DSPD services. Previously a pilot program, SWI became an ongoing program in 2011 with an annual budget of $250,000. The SWI program is not supported by Medicaid funds and is not part of a Medicaid waiver. Monthly oversight and coordination are provided by privately contracted supported employment providers and Community Service Brokers. The goal of the program is to support 200 people in finding and maintaining employment.

Progress to Date	Types of Employment
156 open/active participants	Office Assistant
	Membership Coordinator
84/156 (53.8%) currently employed	Greeter
	Janitorial
15.07 average hours/week	Restaurant and Food Service
	Contractor's Assistant
$7.60 average wage/hour	Document Scanning Technician

Russ: Russ is a 39 year old man with intellectual disabilities and severe and persistent mental illness. He has been on the DSPD waiting list since 2008 and lives in Utah County. Russ has worked through most of his adult life, but recently found himself unemployed and homeless. Without a home and routine, Russ would forget to take his medication. He was hospitalized, but once stabilized on medication, was referred to Utah State Office of Rehabilitation. Russ was referred to the SWI program as he needed extended support to stay employed. Russ is now employed as a dishwasher at the Center Street Bistro in Provo, living in his own apartment and doing well with minimal support. Without the support from the SWI program, Russ would have been identified as someone who needed intense, expensive long term services. The small amount of funds that keep him employed diffused the need for Medicaid waiver services.





Goran : Goran is a 29 year old man who experiences autism. He has been on the DSPD waiting list since 2004 and lives in Salt Lake County. Goran moved to Utah from Bosnia with his family when he was 11 years old. He is fluent in both Bosnian and English, but only speaks to his family. After graduating high school in 2001, Goran had a difficult time finding meaningful activities. He would spend a lot of his time sleeping and riding the bus around town during the day. Goran began working after getting connected to USOR in 2004. He has been part of the SWI program since April of 2012. Goran currently works for the Division of Services for People with Disabilities for the State of Utah as an office assistant. Goran is always on time, works very hard, is a perfectionist, and has a great sense of humor. He assists several DSPD employees with filing and organizing projects. He is always willing to learn and take on new challenges. For Goran, a job isn't just about work and money; it is about the importance of being equal with the rest of his family and community through working and contributing.

http://www.dspd.utah.gov/reports_pdf/DSPD_Annual_Report_FY2012.pdf

ATTACHMENT 7—UDOWD FLYER

Utah Defendant Offender Workforce Development Task Force

U.D.O.W.D.

Mission Statement: Unite offenders and employers by assisting offenders with employment options, job readiness and employment application assistance.

HISTORY

The U.D.O.W.D. Task Force was established in the fall of 2009. It consists of members from state, federal and local law enforcement and non-profit and religious organizations whose primary goal is to assist ex-offenders obtain employment and to learn how to become productive members of society. Some of these include:

- Utah Department of Corrections
- U.S. Probation/ Pretrial Services
- Utah State Office of Rehabilitation
- Utah Department of Workforce Services
- Federal Bureau of Prisons
- Local Law Enforcement Agencies
- Utah Federal Defender's Office

Hiring Incentives

Work Opportunity Tax Credit: Employers can receive up to $2,400.00 foe each ex-offender they employ. For more information about this program: www.jobs.utah.gov/employer/business/wotc.asp

Federal Bonding Program: This program provides employers with free bonding insurance from $5,000.00 to $25,000.00 for certain perceived "high risk" applicants. For more information regarding this program go to www.bonds4jobs.com

Additional tax credits, incentives and support may be available. To learn more, contact the U.D.O.W.D. representative in your community.

Employee Incentive

Ex-offenders are commonly more motivated than most employees as they feel they have something to prove to themselves, their families and society in general. Being under supervision also mandates they maintain stable employment and undergo counseling and random drug testing, which is commonly an ultimate savings to most employers.

Be part of the "cycle of success"

http://corrections.utah.gov/programs/documents/UDOWDFlyerfinal.pdf

ATTACHMENT 8—UDOWD TASK FORCE UPDATE

Utah Defendant/Offender Workforce Development Taskforce (UDOWD)

Partnership Members: Utah State Office of Rehabilitation (USOR), Utah State Department of Corrections (UDC), Department of Workforce Services (DWS), U.S. Federal Probation and Pretrial Services, L.D.S. Employment Services, Federal Bureau of Prisons, and other law enforcement, and other faith-based organizations)

Mission Statement (UDOWD): We unite to facilitate collaboration between federal, state, and local agencies in an effort to eliminate barriers between agencies, increase community awareness, assist offenders with increased employment opportunities, and reduce recidivism.

Employer Development/Employment Placement Statistics:

Salt Lake County:

Employer/Business	Positions Offered	Positions Filled
Thermal Processing	5	4*
Western Architectural	4	4
Gold's Gym	Currently Screening	1
Rastar	4 plus	*Screening
Speeds Auto	1	0
Premier Mentoring	*Current Development*	
Tooele Autobody	3	3/*1
Elite Tile	2	*Screening
Gottschall Engraving	1	0
Brahma Group	13	*Screening
Molding Box	6	6/*2
Mid City Salon	1	*Screening
Design Ink	12	12/*Screening
Fast Buck	Current Development	Current Development
Intermountain Rigging and Heavy Haul	Current Development	Current Development

Computer Bytes	Current Development	Current Development
UPS	Current Development	1
City Cab	1	1
Winco Foods	Current Development	Current Development
Mountain Care Pharmacy	Current Development	1
ECO Scraps	1	1
Bonneville Lumber	Current Development	Current Development
Tharco Industries	Current Development	Current Development
Mrs. Fields	Current Development	Current Development
Daniels Painting	Current Development	Current Development
Subway	Current Development	Current Development
Sapp Brothers	Current Development	Current Development
Flying J	Current Development	
Comfort Inn	1	1
ACS	1	1
TJ Maxx	1	1
Wasatch Container	1	1
Taco Bell	1	1
Glenn's Tires	1	1
Liberty Tax	1	1
Energy Solutions Arena	1	1
Maxfield's Candy	1	1
Total 37	63	43

*Indicates positions filled through joint case management through UDOWD collaboration

Utah County:

Employer/Business	Positions Offered	Positions Filled
AA Machine	4	3
Best Deal Spring	2	0
Big T Lube	1	1
Brereton Auto	2	2
Central Utah Refrigeration	1	1
CimTech	2	2
CR Doors	4	4
Dairy Queen	1	1
Honest 1 Auto	1	1
Intermountain Valve	1	0
Macco of Orem	1	1
Meineke	1	1
R-4 Construction	1	1
RMWT Telecom	2	0
Steps of Payson	1	1
Utah Valley University	1	1
Total 16	26	20

*Indicates positions filled through joint case management through UDOWD collaboration

These statistics represent employer development and/or job placements for the past three (3) months of the UDOWD program. The Ogden and Weber Counties service areas are starting to compile data as their county groups are formed and this collaboration occurs. The Utah County and Salt Lake/Tooele Counties are comprised of establish county groups to coordinate services (including job development/placement, employer work incentives, on-the-job training, and other case management and/or support services by the partners through collaboration and partnering.

ATTACHMENT 9—UTAH WORK INCENTIVE PLANNING SERVICES

Utah Work Incentive Planning Services

Building a better understanding about Social Security disability benefits and work.

- **Work Incentive Planning is for people who:**
  - ✓ Want to work
  - ✓ Want to increase their income
  - ✓ Want to understand how work affects Social Security and other benefits
- **What benefits are explained?**
  - ✓ Social Security Disability
  - ✓ Health Care (Medicaid, Medicare, etc.)
  - ✓ Housing
  - ✓ Food Stamps
  - ✓ Others
- **What Does Work Incentive Planning provide?**
  - ✓ Information about how working affects benefits in a personalized written analysis including:
  - ✓ Current and possible benefits
  - ✓ Work incentives
  - ✓ Problem areas and solutions
  - ✓ Information about other helpful programs
  - ✓ Answers to questions
- **Why is Work Incentive Planning Important?**
  - ✓ Helps with making informed decisions
  - ✓ Increases knowledge
  - ✓ Helps identify or prevent problems with benefits
  - ✓ Dispels myths about benefits
- **Who does this help?**
  - ✓ People who are currently receiving Social Security disability benefits (SSI/SSDI) who would like information on how work may affect their benefits.
- **Why refer?**
  - ✓ To help people understand how working affects their Social Security and other benefits, as well as identify what work incentives they might be able to use.
- **When to refer?**
  - ✓ When a person wants to go to work or work more hours in his or her current job.
- **Who can refer?**
  - ✓ Anyone who knows a person receiving Social Security disability benefits (SSI/SSDI) who wants to work. People can also refer themselves.
- **How to refer?**
  - ✓ Complete a referral form and send it in to the program. You can get a referral form by calling (801) 887-9530 or by going to www.workabilityutah.org

Utah Work Incentive Planning Services is administered by the Utah State Office of Rehabilitation and the Department of Workforce Services.

ATTACHMENT 10—2012 TICKET DATA.

State	Eligible Beneficiaries	EN Coverage	EN Locations	Target Group - *Work Focused Beneficiaries	Percent of Target Group In-Use or Assigned	Total Tickets -- In-Use SVR & Assigned	Tickets Assigned to ENs	Tickets Assigned to ENs - M/O	Tickets Assigned to ENs - O	Tickets In-Use SVR	Tickets Assigned to VRs	Tickets Assigned to VRs - M/O	Tickets Assigned to VRs - O
VT	32,258	6	0	8,021	37%	3,007	14	9	5	578	2,415	1,859	556
SD	27,722	12	0	6,248	30%	1,847	20	18	2	173	1,654	1,630	24
UT	67,549	23	5	18,308	24%	4,310	79	66	13	4,222	9	8	1
DE	37,691	18	12	6,282	23%	1,437	72	68	4	1,358	7	5	2
HI	38,757	21	34	6,338	21%	1,349	252	234	18	1,097	0	0	0
NC	462,180	58	8	76,036	19%	14,598	528	484	44	13,610	460	450	10
DC	31,418	35	5	10,960	19%	2,100	299	286	13	1,795	6	6	0
NH	62,506	17	9	17,859	19%	3,419	287	278	9	597	2,535	2,528	7
WI	228,438	43	32	50,728	18%	9,064	433	355	78	7,804	827	778	49
MD	198,633	54	19	50,695	17%	8,461	843	813	30	7,606	12	11	1
MT	39,875	11	0	7,224	16%	1,176	22	18	4	1,085	69	68	1
FL	785,686	110	126	135,492	15%	20,428	3,339	3,070	269	11,901	5,188	5,158	30
ID	60,879	19	7	14,539	15%	2,118	111	108	3	1,991	16	4	12
KS	105,064	29	6	23,087	14%	3,227	383	354	29	2,818	26	25	1
TN	366,752	55	61	68,924	14%	9,409	1,141	1,077	64	8,223	45	42	3
IN	288,272	63	77	55,126	13%	7,355	640	611	29	4,778	1,937	1,936	1
MO	310,223	49	28	62,171	13%	8,196	962	910	52	7,192	42	42	0
IA	110,558	27	36	23,480	13%	3,091	582	558	24	2,488	21	20	1
PA	634,284	65	37	127,886	13%	16,084	1,441	1,342	99	14,605	38	32	6
NY	868,471	109	120	172,692	13%	21,711	2,705	2,563	142	18,907	99	81	18
WY	17,603	14	0	4,061	13%	510	33	28	5	469	8	7	1
SC	249,655	48	43	35,965	12%	4,495	505	483	22	3,777	213	210	3
MN	181,507	36	27	41,305	12%	5,008	724	695	29	3,970	314	313	1
CO	148,589	40	18	28,819	12%	3,490	541	500	41	2,931	18	14	4
NE	59,639	20	4	12,317	12%	1,470	138	132	6	1,316	16	14	2
NM	96,952	26	13	20,013	12%	2,353	386	366	20	1,842	125	124	1
LA	264,790	43	29	52,254	12%	6,106	432	413	19	4,715	959	957	2
IL	470,057	69	45	91,652	12%	10,557	1,433	1,357	76	7,057	2,067	2,066	1
TX	895,774	118	116	194,892	11%	21,908	2,784	2,621	163	19,013	111	106	5
OK	188,703	48	9	37,110	11%	4,152	428	401	27	3,000	724	721	3
AZ	223,641	57	12	36,863	11%	4,015	682	601	80	3,301	32	27	5
CA	1,245,491	127	134	242,502	11%	26,357	4,607	4,193	414	21,688	62	59	3
RI	56,432	15	2	13,664	11%	1,475	170	160	10	1,291	14	10	4
AL	340,687	37	5	68,924	10%	7,116	496	475	21	6,591	29	29	0
AK	21,403	12	4	4,599	10%	467	30	19	11	433	4	3	1
MA	316,617	45	44	80,019	10%	7,821	522	452	70	6,938	361	345	16
NV	86,880	38	4	14,359	10%	1,395	473	439	34	905	17	15	2
ME	83,441	23	8	16,266	10%	1,578	171	168	3	1,342	65	58	7
ND	20,787	9	8	4,050	9%	377	31	28	3	340	6	6	0
KY	326,883	32	13	63,073	9%	4,917	308	273	35	4,551	58	58	0
NJ	297,243	48	17	63,551	9%	5,776	511	460	51	5,146	119	21	98
WV	153,730	27	7	22,358	9%	1,997	195	159	36	1,794	8	7	1
MI	526,482	56	21	107,470	9%	9,450	608	542	66	8,804	38	37	1

ATTACHMENT 11—2009–12 SSA VR COST REIMBURSEMENT

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02/13/2013

Year to Date Report of Clearances
Program Counts- Client Rehabilitations
SSA, OESP, DESPA
Provider
Operations Team

Year to Date Report- Fiscal
Year 2009

Region: 08

Through the period of 913012009

VRA		Open Pending	Receipts	Clearances	TR	Close Pending	Allowed	Claims Allowed	%Claims Allowed	Closing Pending	Average Cost
CO	004	62	191	215	5	33	$1.207,782.77	112	52%	$390,428.80	$10,783.77
MT	025	18	31	41	3	5	$407,014.81	32	78%	$39,198.66	$12,719.21
ND	033	5	43	40	1	7	$276,719.61	25	63%	$85,256.17	$11,068.78
SOB	091	3	2	5	0	0	$158,735.48	4	80%	$0.00	$39,683.87
SDG	041	6	32	30	2	6	$278,052.53	26	87%	$36,695.15	$10,694.33
UT	044	148	150	244	14	40	$1,464,846.89	158	65%	$404,729.13	$9,271.18
WY	050	7	19	23	0	3	$75,604.01	13	57%	$27,715.19	$5,815.69
• Subtotal		249 $10,456.10	468	598	25	94	$3,868,756.10	370	62%	$984,023.10	

Note: (Opening Pending + Receipts) - (Clearances + Technical Revisions) = Closing Pending.

If the pending count is 0,but a dollar figure is shown in the closing pending, these funds are associated with the State's request for review of a prior claim.

Allowances may exceed clearances when previous decisions are reversed from a denial to an allowance.

Negative amounts may be shown in the Allowed, Claims Allowed, and Average Cos Cost columns if there is an overpayment involved.

Page No.8 VRAsOnly

2/13/2013

Year to Date Report of Clearances
Program Counts- Client Rehabilitations
SSA, OESP, DESPA
Provider
Operations Team

Year to Date ReportFiscal
Year 2010

Region: 08

Through the period of 9/30/2010

VRA		Open Pending	Receipts	Clearances	TR	Close Pending	Allowed	Claims Allowed	%Claims Allowed	Closing Pending	Average Cost
CO	004	33	142	163	-2	14	$1,369,502.37	87	53%	$322,752.34	$15,741.41
MT	025	5	45	47	0	3	$790,806.57	36	77%	$27,590.09	$21,966.85
NO	033	7	8	13	0	2	$121,602.88	8	62%	$14,848.75	$15,200.36
SOB	091	0	7	7	0	0	$98,216.71	4	57%	$0.00	$24,554.18
SOG	041	6	25	29	1	1	$210,496.68	20	69%	$195,964.99	$10,524.83
UT	044	40	112	134	0	18	$1,051,658.37	94	70%	$318,003.39	$11,187.86
WY	050	3	105	107	0	1	$263,949.08	36	34%	$16,030.25	$7,331.92
*Subtotal		94 $13,706.08	444	500	-1	39	$3,906,232.66	285	57%	$895,189.81	

Note: (Opening Pending + Receipts) • (Clearances + Technical Revisions) = Closing Pending.

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Page No.8
2/13/2013

Year to Date Report of Clearances
Program Counts- Client Rehabilitations
SSA, OESP,DESPA
Provider
Operations Team

VRAsOnly

Year to Date ReportFiscal
Year 2011

Region: 08

Through the period of 9/30/2011

CO	004	14	315	233	2	94	$1,244,147.10	88	38%	$1,219,935.24	$14,138.04
MT	025	3	27	29	0	1	$445,582.02	27	93%	$2,702.82	$16,503.04
ND	033	2	26	25	1	2	$236,542.32	17	68%	$60,755.25	$13,914.25
SDB	091	0	1	1	0	0	$38,457.55	1	100%	$0.00	$38,457.55
SDG	041	1	22	21	0	2	$356,626.05	13	62%	$34,760.67	$27,432.77
UT	044	18	141	101	2	56	$487,216.31	48	48%	$549,962.84	$10,150.34
WY	050	1	15	12	0	4	$108,944.14	11	92%	$93,610.61	$9,904.01
*Subtotal		39	547	422	5	159	$2,917,515.49	205	49%	$1,961,727.43	
		$14,231.78									

Note: (Opening Pending + Receipts) - (Clearances + Technical Revisions) = Closing Pending.

If the pending count is 0, but a dollar figure is shown in the closing pending, these funds are associated with the State's request for review of a prior claim.

Allowances may exceed clearances when previous decisions are reversed from a denial to an allowance.

Negative amounts may be shown in the Allowed, Claims Allowed, and Average Cost columns if there is an overpayment involved.

Page No.8
2/13/2013

Year to Date Report of Clearances
Program Counts- Client Rehabilitations
SSA, OESP,DESPA
Provider
Operations Team

VRAsOnly

Year to Date ReportFiscal
Year 2012

Region: 08

Through the period of 9/30/2010\2

CO	004	94	186	243	4	33	$1,017,172.39	72	30%	$503,551.45	$14,127.39
MT	025	1	53	28	1	25	$276,717.76	19	68%	$202,561.25	$14,564.09
ND	033	2	39	35	-2	8	$207,483.11	24	69%	$102,730.94	$8,645.13
SDB	091	0	0	0	0	0	$0.00	0	00%	$0.00	$0.00
SDG	041	2	17	10	2	7	$142,946.46	5	50%	$103,211.04	$28,589.29
UT	044	56	228	174	1	109	$867,636.88	73	42%	$1,089,336.93	$11,885.44
WY	050	4	19	15	0	8	$108,558.31	13	87%	$39,740.17	$8,350.64
*Subtotal		159	542	505	6	190	$2,620,514.91	206	41%	$2,041,131.78	$12,720.95

Note: (Opening Pending + Receipts) - (Clearances + Technical Revisions) = Closing Pending.

If the pending count is 0, but a dollar figure is shown in the closing pending, these funds are associated with the State's request for review of a prior claim.

Allowances may exceed clearances when previous decisions are reversed from a denial to an allowance.

Negative amounts may be shown in the Allowed, Claims Allowed, and Average Cost columns if there is an overpayment involved.

ATTACHMENT 12—DISABILITY FRIENDLY BUSINESS FLYER

Utah Business Diversifies Workforce!

Many Utah businesses are truly models in recruiting, hiring, accommodating and advancing people with disabilities. Many also participate in the Think Beyond the Label campaign to promote hiring and retaining employees with disabilities. To learn how you can think beyond the label, contact Carol Ruddell at (801) 887-9388 or cruddell@utah.gov.

Other Utah businesses include:

Goldman Sachs

QUESTAR

UTAH WORLD TRADE CENTER

ups

USOR

WORK ABILITY

Salt Lake Chamber UBET

UBET (Utah Business Employer Team) is Utah's Chapter of the USBLN (U.S. Business Leadership Network). Housed in the local Chambers of Commerce, business leaders work together, business to business, to promote employment of people with disabilities. UBET recognizes and supports best practices in the employment and advancement of people with disabilities; the preparedness for work of youth and students with disabilities; and marketing to consumers with disabilities. To learn more about your local UBET, contact the Chamber of Commerce in your community or the Governor's Committee on Employment of People with Disabilities at (801) 887-9392.

Business is also improving their services to the public and their customers. Approximately 1 in every 5 Americans has one or more disabilities - over 400,000 Utahns! As we age, we are even more likely to experience a disability. People with disabilities have incredible purchasing power, frequenting businesses where they feel welcomed and comfortable. Their family and friends will follow.

One way business is marketing to consumers with disabilities is through the Disability Friendly Business designation from the state UBET chapters. A business:

- Completes an accessibility self assessment of their location(s);
- Commits to training their employees; and
- Pays a small fee.

Business is provided curricular materials for their employees and a sticker to prominently display on their business. Business can also access the PWDNET, Utah's Business Relations Team for further training. These Disability Friendly Businesses will then be marketed to organizations serving people with disabilities. To participate in the Disability Friendly Business program, contact your local Chamber of Commerce or Governor's Committee on Employment of People with Disabilities at (801) 887-9392.

http://www.workabilityutah.org/hiring/utahbusiness.php

The CHAIRMAN. Thank you, Mr. Uchida.

Thank you all very much. I hope I mentioned at the beginning that all testimony will be made a part of the record in their entirety. We'll start a round of 5-minute questions.

You all kind of focus on high expectations and starting early, forming partnerships, Mr. Uchida. But talk to me again about providing services to youth when they're still in school. How do we get them on this pathway?

Governor Markell, when I asked him about businesses and what they want, said that they wanted voc rehab to change a little bit. Rather than taking a list to employers and saying, "Here's the list. Can you hire someone?", have voc rehab go to the employer and say, "What are you looking for? What do you need?", and taking that and going and finding people with disabilities who have those skills.

I want you to address that but also to address this idea of getting at kids early on, both with high expectations but with what I call internships, where they can experiment and find out where their aptitudes and interests might lie in high school.

Last, you mentioned, Mr. O'Brien, this TechNow. You didn't mention it in your statement, but I read about it. And that has me intrigued, because there's a lot of emphasis these days on STEM, science, technology, engineering, and math. But we tend to forget that this can be adaptable easily to people with disabilities. There's a lot of jobs in this high tech which are very adaptable, which people with disabilities can feed right into because of its accessibility.

So my question for all of you is, how early can we start and where should the emphasis be? Second, do we need to change voc rehab's emphasis and get them focused earlier on? And, third, what about this whole idea of emphasizing more technology in terms of future jobs for people with disabilities.

Mr. O'Brien, I'll start with you.

Mr. O'BRIEN. Well, I will go ahead and start, and I appreciate the question. The challenge is, of course, in Oklahoma, we have about 600,000 people with disabilities and about 100,000 of those are students with IEPs. So whatever I talk about here, it's in the context of I've got to figure out how to serve both adults who have acquired disabilities and at the same time ensure our students are being served. That is a challenge.

But in Oklahoma, we've really focused on that over recent years in several ways. One is we think that actual work experience and, preferably, paid work experience for a student while they're in high school during particularly the last 2 years before they're going to exit school—in some cases, that's while they're a junior and senior, and, in some cases, because they might be in school until they're 22, that's when they're 19 or 20—but having an actual work experience in school.

And what we know from that is, if you have a work experience in school, you're more likely to graduate and you're more likely to choose work when you exit. So that early experience is important. But we also think a paid experience, getting actual cash somewhere along the way, makes a difference. So in Oklahoma, we focused on increasing paid work experiences while the students are in school with contracts with schools and local employers, ET cetera. We think that's one.

The early intervention—we've been experimenting with that in the TechNow Project, because it actually starts in the 9th and 10th grade. And what we discovered is, we expose the students both to technology and business practice. They learn to operate Corel software, Word software, and different kinds of things like they would in any business. And they learn marketing strategies and they build things and work with a computer.

What we're finding is if they participate in that early, by the time they graduate, they're thinking about employment. They're wanting to find employment. They've actually met employers because of the competitions they're going to. But the most important thing is that more than 94 percent of them graduate if they've participated in that. And for a group of students with disabilities, these graduation rates are a real issue across the country.

There is a challenge in starting early, because if you start at 14, most transition cases are already 4 to 6 years. So now you're talking about a case that might take 8 or more years, which means that you've got dedicated resources that can't go somewhere else. So you have to decide how you're going to respond to that and how you will work that to make sure that you can serve across the board.

Oklahoma has also started this Career Pathways where, as a state, we're trying to focus on all students, not just students with disabilities, with career planning beginning in the sixth grade, not because you're a student with a disability, but because every stu-

dent should know who the local employers are. Every student should do career planning interest inventories. Every student should go to job sites. If they do that from the sixth grade forward—and it's inclusive of all students with disabilities, not disability specific—then we can start at sixth grade and advance that so that when they leave high school, they know what exists in their community and they can choose work or training.

The CHAIRMAN. That's why I'm hopeful that if we move off of No Child Left Behind and go to career- and college-ready, then that is an integration process right there. No Child Left Behind is almost a segregation kind of a process. We're looking at more integration, so, hopefully, we'll move in that direction.

Ms. Boone.

Ms. BOONE. Thank you for the opportunity to speak to effective transition, because it is my passion. I had on my county advisory board a special education teacher from the local school district. And it was breaking her heart to meet her students after they graduated at 21 and ask them what they were doing. When they said, "I haven't seen anybody that I saw at school. I'm at home. My sister had to quit her job and stay home to be with me," she had enough.

She got on the county advisory board that governs the funds that paid for the segregated workshops, and she said,

> "No one should be sitting at home. My students deserve better, and I need to be on this advisory board and influence what happens after they turn 21 and are in the community and leave school."

So she put together, along with the county funding that becomes a Medicaid support after they graduate—she started with a VR counselor that she knew, the county coordinator that she knew, her own students, and she got a site at the community college and said,

> "My students at 18 are going to start going to school at the community college so they're in a typical place at a typical time. And we're going to focus everything we do on them getting a job, and we're going to pool our resources to do this. But we're going to have a common intent, and we're going to meet every month cross-agency to talk about what it takes for all of us to align our supports so that no child, no adult, no one has an experience that's not typical that their brother or sister would have."

So they're walking the neighbor's dog at age 14. And we're talking about expectations. It doesn't cost money to ask a little kid what he or she wants to be when they grow up. And that is the kind of expectation that permeates Washington State. It's not if you're going to work. It's what job would you like to do.

In my written testimony, there is a link to an AIDD Journal article about the Jobs by 21 Partnership Project, where we studied three different cohorts. And those were students who had been able to participate in that kind of collaborative, intentional—you know, get a job prior to school exit; a cohort of students who didn't participate in one but were in a community that had one, a community that had higher expectations; and communities that didn't have anything like that in place. And what we found, of course, was that

people were earning higher wages, working more frequently, and that the best indicator of their adult career was whether or not they were exiting school with a job.

The career and tech ed piece of this is the piece that we have not addressed yet. We've gotten really good at special education. We have not gotten very good at integrating special education for students who want to access career and technical education. We have not integrated or embedded the expectation that all youth with an IEP will have access to career and technical education.

We've modeled special ed after general ed. We need to start thinking about modeling special ed after career and tech ed and be thinking about what's going to happen after they turn 21 and spend the next 40 or 50 years living in their communities.

The CHAIRMAN. Very good.

Mr. Uchida, do you have anything to add to this?

Mr. UCHIDA. Thank you, Mr. Chairman. We don't have a problem in Utah with the school age end of it. We have formal agreements with every single school district. We have a vocational rehabilitation counselor assigned to every single high school. Our problem—and one of them was the second partnership that I talked about.

We would be working with these kids through school, but as they aged out, it was the same problem that Mike was talking about. They didn't have anywhere to go. We didn't have the long-term funding for supported employment, and we were going to be wasting all that effort that we had while they were in school because the collaboration was between the rehab agency and the school system. Most of those special ed kids come out and depend upon the Medicaid waiver money.

That's why we went to the legislature. The legislature responded, and they provided the long-term funding for supported employment. So there was a seamless transition of the kids coming out of the school system, going to the vocational rehabilitation program on the short-term supported employment, and then there was long-term funding for them that's been provided by the State.

I'd like to interject the fact that my daughter was one of those who kind of benefited from the State-run, long-term program. Before the Medicaid waiver money went away, she was working in retail, and she needed a job coach. But what happened was when that funding went away, we had to look for another job that didn't require a job coach and she could have natural supports within the second job that she got. So, these kinds of things happen, and that was one of the motivating factors to get that State-funded long-term funding for supported employment.

The CHAIRMAN. I'm going to yield to Senator Warren. But before I do, I'll just add that there are certain mindsets that we have to break away from. And the mindset that someone with a disability gets trained or educated and they get in a job and they have it for 40 years—that's not the way society works. People have a job for a few years. They go to another job. They go to another job. They go to another job.

We have to have a system whereby people with disabilities who may lose a job—jobs move, plants close—where they can get back in the system and be retrained just like anybody else for some

other occupation. I hope we kind of keep that in mind in terms of long-term supports.

Senator Warren.

Senator WARREN. Thank you, Mr. Chairman.

I just want to say, Ms. Boone and Dr. O'Brien and Mr. Uchida, thank you very much for the work you do. It's just terrific. It's inspiring. And, like the chairman, I read your testimony which is terrific.

I wondered if I could change the conversation or just move it in a little bit different direction. I've been thinking a lot about the vets who are returning from Iraq and Afghanistan and who have sustained injuries that make it difficult for them to find employment. And, really more by happenstance than anything else, this morning, I was meeting with a group of veterans and activists. We had the vet coordinator from Framingham State University. I had the vice commander of the Disabled American Veterans and the director of the Boston Firefighters Military Veterans Legion and several others.

The first part of the conversation that they brought up was the frustration they feel with the Veterans Administration. They talk about delays, lack of engagement, that they feel like they're not getting the kind of support—that vets are not getting the kind of support they deserve.

I wonder if you could speak just a little bit to the challenges facing our veterans, to your perception of how the Veterans Administration is meeting those needs, and about other options and how you create alignments in programs with the Veterans Administration.

Mr. Uchida, you look ready to go.

Mr. UCHIDA. Thank you, Senator. We have a formal cooperative agreement with our local VA. In fact, we have a very, very close working relationship, because that entire vocational rehabilitation unit is our former employees who left our State agency to go work for the Federal Government for higher wages. So they know our system, and they have a very, very close working relationship.

We are aware of some of those problems and the shortcomings. So we have a cooperative agreement where most of the medical high-end expensive kinds of therapeutic modalities—they're taken care of by the VA. Those other things that they're waiting for that we can justify, we pay for with our vocational rehabilitation services money because of the cooperative agreement that we have with them.

So, yes, that is a problem. The TBIs that come with a lot of those create some barriers to work with. But we are getting some of our staff trained to deal with that particular population. We've sent some of our people to work with directly and to get training through the VA to understand their system a little bit better, so we can navigate through all those problems that you discussed a little bit easier.

Senator WARREN. Dr. O'Brien.

Mr. O'Brien. I come at this issue from both a personal and a professional perspective. I have a brother who is a retired first sergeant from the Army who was medically retired and who had to use the VA's rehabilitation system in order to earn his degree. And

he is now the manager of a major manufacturing plant. But he went through that system.

I have a nephew who returned from Afghanistan as a Purple Heart winner who has had to utilize both types of vocational rehabilitation and who will graduate from college, we believe, this summer. So we've seen it in that system. And I have a son who is a soldier in Germany right now. So I pay quite a bit of attention to the veterans' piece.

In Oklahoma, what we found is that the Veterans Administration rehabilitation counselors typically have very large case loads. But they also have more money to serve people than we do. So we've begun a process of trying to meet regularly with their counselors. My counselors and their counselors meet at different times across the State. And we've found that we can provide counseling and case management and personal connection perhaps in a more convenient way than they can, because their case loads are bigger than our case loads, but that they can provide the resources.

The other thing that we've tried to do is I regularly attend their State meeting and visit with their counselors, and their supervisor attends our meetings to be a part of that. We've not perfected the system, but what we've found is when we're at the table together as often as we can get to the table together, we can find ways to pick up in the places where there are problems. Yes, it's still slow, but more people are being served, and more people are getting opportunity, and they're able to use both systems when we partner together like we're trying to do in Oklahoma.

Senator WARREN. Thank you.

Mr. Chairman, I'm out of time, I realize. Would it be all right if Ms. Boone responded as well?

The CHAIRMAN. Sure.

Senator WARREN. Thank you.

Ms. BOONE. Fortunately, for the interest of time, there is not a person within the Division of Developmental Disabilities who has served in the military. So this is not a matter that I'm familiar with.

Senator WARREN. Well, that saved us some time. But thank you very much. I appreciate the responses. And I very much, though, want to underline what I think I was hearing, and that is you're working hard, but it is a problem that is nowhere near a solution yet, that our vets are waiting a long, long time, and you're trying to piece things together to try to make it work for them. Would that be a correct summary?

Mr. O'Brien. I think that there's a lot of people trying very hard. But you're right. It's not as efficient as it needs to be yet. But there are dedicated people focused on it.

Senator WARREN. Fair enough. Thank you.

The CHAIRMAN. I might just add, Senator Warren, that one of the things that I've been working on with some others is to get the Department of Defense to do more hiring of wounded warriors who have disabilities and to get them trained and to—both on the civilian side but also on the military side, to stay in the military.

The military has this thing that you have to be deployable. Well, maybe. Maybe not. There's a lot of jobs in the military that uniformed military personnel could do that could be done by people

with disabilities. They may not be deployable to some other country, but they can sure do the job here. So I ask you to join with us and let's work on that, because we're trying to get the DOD to change its mindset a little bit here.

Senator WARREN. I'm in, Mr. Chairman.

The CHAIRMAN. All right. Thank you.

Senator Baldwin.

Senator BALDWIN. Thank you, Mr. Chairman. I want to, again, appreciate our three witnesses on this panel. And you might have heard me address the Governor earlier that my State of Wisconsin's DVR has collaborated with each of your States very successfully, and I appreciate that.

One of the problems of running in and out between two committee hearings is I've missed some of the questions. So let me just ask a couple of very specific things that perhaps won't even use all of my time.

Ms. Boone, after moving to Employment First, can you identify which policies adopted in the process of that, had the greatest impact on increasing your integrated individual employment rates?

Ms. BOONE. I can. Washington is a State that actually came to its employment policy late. We had the values in place in the early 1970s when Washington State's parents were the first parents in the Nation to insist that their sons and daughters go to school with their sisters and brothers. And in 1971, they put in place an Education for All Act that later became Public Law 94–142.

Because of that insistence in the early 1970s—it took a few years before that was passed. So these are parents from the late 1960s who said, "My kids are all going to go to the same neighborhood school." Having that expectation of inclusion in place built toward the 1980s when we began to have more inclusive employment.

By the time the Working Age Adult policy was written and issued in 2004, we already had embedded in practice our investments and our innovations and our business models, what it would take for someone to come in the door and say, "I want a job," and for us to have a job developer who could go to an employer and say,

> "I can see that you've got some work here that needs to be done, and I can match that job demand with a candidate I have that can match it,"

much as Governor Markell spoke to earlier.

It's about what does labor demand, and who do we have that we can match with that effectively. What the policy did was put in writing, which can be very powerful, a set of very clear expectations about just what it meant. What did it mean to earn a living wage? What did that mean? What was integrated employment? What kinds of supports could people expect to get when they came to the Division of Developmental Disabilities and asked for something to do during the day?

There was much debate about that in the House and the Senate. There were people who thought it was a really lousy idea, and there were people who thought it was a terrific idea. Governor Gregoire in 2012 signed that policy into State legislation. There was so much debate over it being at the policy level that our State legislature, through long debates, decided it needed to be in legislation, and that was signed on June 7, 2012.

Senator BALDWIN. Thank you.

The CHAIRMAN. I'm told you have a plane to catch, Ms. Boone. But before you leave, I also wanted to ask you about this Employment First, moving from the segregated model to an integrated model. Let's be honest about it. Sometimes the hardest people to convince are skeptical parents. And I'm just wondering, how did you deal with that?

Ms. BOONE. Senator Harkin, I've been thinking about that question, and I've been wondering if I could persuade you not to retire. [Laughter.]

The CHAIRMAN. Moving right along.

Ms. BOONE. The best way to convince a skeptical parent is to listen. It's not to start talking. It's not to start convincing. It's to listen, and we listen. We listen to parents, and we respect that they're concerned. They should be. They're that person's parent. That parent wants to make sure that they're safe, they're protected, that they don't come to any harm. They want them in the safest place possible.

It's about supporting the parent to experience the risk it takes to send their kid out the door, and that's something common to every parent. You need support. We have parents talking to parents. It's not about somebody from the government or an employer or even a school teacher, although sometimes school teachers can be effective. It's the parent-to-parent conversations that are the most effective.

When we have our high school celebrations of the kids who got jobs before they left school, the standing room only crowds were parent panels of students who had graduated a couple of years ahead talking to parents who had kids who were going to graduate in the next couple of years. They wanted to know what it was like, how did it work out, what happened, what does it look like. It's really about leading by example and having parents and youth mentoring parents and youth and them telling each other the story, as well as employers telling each other the story.

The CHAIRMAN. I understand. Obviously, parents are very concerned about what's going to happen to their child with a disability, what happens after they're gone. I understand that, and it's a tough issue. But I think you're absolutely right. You have to listen to parents and get other parents who have been through this to talk to them and to convince them.

Did that happen when you got Employment First passed through the legislature? Did you have much of a reaction from that?

Ms. BOONE. I really do wish Margaret-Lee Thompson could have been here today, because she was in many of the hearings where Employment First was passed, as was Joanne O'Neill and many other parents. Sometimes our strongest advocates—not Margaret-Lee or Joanne, but other parents or family members, sisters and brothers—were, at first, our strongest opponents. And those ferocious opponents who supported their brother or sister to take the risk of getting a job and saw what happened became the strongest advocates.

So there's a lot of passion and power, as you've noticed over the years, around these issues. And it's something that in Washington State, because the greater percentage of people are working, it

doesn't take as much convincing when you go to the grocery store and somebody with a significant disability is working there, or you go to Starbucks, or you go to the bus station and the person who tells you how to get to your route is a person with an obvious disability. They're just part of the workforce.

And I think in generations to come, because of Public Law 94–142 and IDEA, people will be included naturally.

The CHAIRMAN. Because they've grown up together. They've associated together. They've been in school together. Yes, exactly.

Ms. BOONE. They will get jobs. They will network. They will know each other.

The CHAIRMAN. Exactly.

Anything else, Mr. O'Brien or Mr. Uchida, you think you'd like to add anything that we haven't asked or that you'd like to make a point on before we close down?

Mr. O'BRIEN. Just real quickly, one of the things that I also think is important is that parents have to have information. Actually, for any person with a disability who is receiving benefits to make a choice about work and leaving benefits, they have to have enough information to make that choice.

I think that the use of effective benefit planners that we've had as part of social security and that Don and I both have in our States because we started our own benefit planning units after the social security benefit planners were ended—you have to have someone who's an expert to help you weave through the system. And I think that anything we do has to incorporate someone who can answer those questions, and it's not always going to be the rehabilitation counselor. They have to know so many things.

The social security system is—all of the benefit systems are complicated. And having an expert who can effect that so that people can make a real decision, an informed decision, about what their path could be if they chose work, I think is an important thing to consider as we move forward.

The CHAIRMAN. Mr. Uchida.

Mr. UCHIDA. Thank you, Mr. Chairman. That very subject was one of our partnerships. It was the UWIPS. It's the work incentive planning unit that we have that Mike talked about earlier. And one of the problems we had that created the second partnership, getting the State funding, were these kids coming out of school—transitioning kids when they aged out of the system. They needed some place to go, and they needed that long-term funding for supported employment.

So we targeted many of the parents of those children. Now, legally, when they're 18 years old, unless they have legal guardianship, we don't need to talk to the parents. But in most instances, they do. And one of the things that we found is that if they can see—even though the social security system is so complicated, when they get through with our work incentive staff, they have something in writing that says if your kid goes to work and earns this much money, then this is going to happen to this benefit.

But if they still need health insurance, they can have the Medicaid buy-in program. This is the sliding scale. This is how much it's going to cost. And everything is in writing in that plan. So we

found that it gives the parents a little more assurance to have something in writing that they can go back to.

And we found that more and more of these kids on SSI, especially—the parents can see in writing that it's to their benefit financially, not losing any of the safety nets, that they can go through the vocational rehabilitation program, go to work in an integrated setting, work above SGA, and it's still to their benefit because it's in writing and it shows them.

The CHAIRMAN. Thank you. Do any of my colleagues have any further followup questions?

Again, I want to thank all of the witnesses for their testimony and for your leadership on this critical issue of boosting disability employment. And we certainly appreciate the time and the effort you've taken to come here today. I also want to again publicly thank Governor Markell and his colleagues at the National Governors Association for helping to elevate this issue and identify the best practices for State leaders and for the country.

I am convinced that America is at a tipping point on this issue, and that increased engagement from the Governors coupled with Federal leadership, private sector leadership, and strong engagement from the disability community can really make a difference in the next few years. So I look forward to working with Senator Alexander and the wonderful members of this committee.

We have a great committee. We have really dedicated people on this committee, and we're going to do everything that we can to push this agenda and to work with States and the private sector to get through this transition from segregated, covered employment to fully integrated competitive employment for people with disabilities.

You three have been sort of the vanguard of this, and we learn from your expertise and what you've done. And we hope that we can continue to ask for your input and your advice and consultation as we move ahead on this.

With that, thank you very much. We'll leave the record open for 10 days to allow additional statements or supplements to be submitted, and this hearing is now adjourned.

Thank you.

[Additional material follows.]

ADDITIONAL MATERIAL

RESPONSE TO QUESTIONS OF SENATOR MURRAY BY THE HONORABLE JACK MARKELL, JANE BOONE, MICHAEL O'BRIEN, ED.D, CRC, CVE, AND DONALD UCHIDA

THE HONORABLE JACK MARKELL

Question 1. Last year the Social Security Administration did not issue new grants for the Protection and Advocacy for Beneficiaries of Social Security and Work Incentives Planning Assistance programs. As you know, these programs provide valuable advocacy, information, and training for people with disabilities receiving Social Security benefits to help the beneficiary return to work, thus reducing dependence on Social Security and encourage independence. These programs helped thousands of people with disabilities return to work each year, which benefits Federal, State, and local budgets. Do you think the Federal Government should be funding these programs to help people with disabilities return to work?

Answer 1. The WIPA program is an effective investment of tax dollars. Research and evaluation of the program has shown that it clearly reduces reliance on public benefit programs and turns people with disabilities into taxpayers. The cost of the WIPA program is approximately $375 per individual served. The cost of the program is more than offset by extensive long-term savings in Social Security funds.

Data from a few States like Vermont demonstrate that participants receiving benefits counseling versus the WIPA and PABSS programs provide a vital service that assists individuals with disabilities to go to work, and achieve self-sufficiency and financial independence.

If the WIPA and PABSS programs are eliminated, over a decade of infrastructure development will disappear and people with disabilities will have no alternative for this type of service a control group (not receiving benefits counseling) received higher wages a year later.

Question 2. Are there any examples in your State of the positive impact of the Protection and Advocacy for Beneficiaries of Social Security and Work Incentives Planning Assistance programs? Please provide one or two examples and describe the benefits of the grant.

Answer 2. In Delaware the WIPA program assisted the 25 percent of DVR clients on SSI/SSDI to see the benefits of a paycheck over a benefit and make the choice to pursue employment. Many SSI/SSDI beneficiaries would not make that choice but for their consultation with a WIPA benefits counselor. The DVR success rate with SSA beneficiaries improved with the inclusion of benefits counseling into their service plans. Benefits recipients required the assistance of WIPA benefits Counselors at multiple stages in their journey to self-sufficiency through employment. Once they were actually receiving paychecks; when they were required to report wages to SSA; when their trial work period expired; and when they reached SGA; all of these milestones sent SSA recipients back to their trusted WIPA benefits counselor to navigate the system. Without a WIPA benefits counselor to guide them, most SSA recipients will stay away from the uncertainty of employment and the risk of losing benefits. For those who are working part time, without WIPA there is no one to guide them to full-time employment and the risks of rising above SGA. At a time when we are seeking solutions to sustain the SSA trust fund for individuals with disabilities, the WIPA program is a key component of the solution—helping people with disabilities to choose independence through employment.

Question 3. Thank you for focusing on the important issue of employment as Chair of the National Governors Association. As you know, employment is the first option for Washingtonians with disabilities. Washington State's policies have helped thousands with disabilities stay on the job and contribute to our State economy. This employment first approach has made Washington a model for the Nation and I'm very proud of the work done. During the year you have been Chair of the NGA, you have highlighted several of the executive actions that Governors can take to increase employment of persons with disabilities. As you have worked on this issue, are there specific things the Federal Government could do to increase employment outcomes for individuals with disabilities?

Answer 3. As Governors continue to push action and innovation to advance employment opportunities for people with disabilities, Congress can help. States, business, and people with disabilities will need your leadership to support flexible federalism, like the Workforce Investment Act (WIA) 15 percent set-aside. Since 2008, funding for this flexible, innovative fund has been reduced by nearly 70 percent. In fiscal year 2010, the cut to State set-aside dollars from 15 percent to 5 percent hurt States' ability to serve our workers, including workers with disabilities. I know that

this committee recognized the effect and tried to address through language allowing flexibility to 10 percent in fiscal year 2013. What is really needed to benefit all Governors is a restoration of the full 15 percent.

For years, States relying on the 15 percent WIA set-aside to support and seed innovations that allow us to partner with industry, attract new businesses, upskill our current workforce, and better serve our constituents who rely on America's Jobs Centers. For example, Washington State used the set-aside funds to allow the Governor's office to facilitate a partnership across the public and private sectors to attract a new manufacturer, Profile Composites, to the State. The British Columbia-based company—which makes collapsible wheelchairs, sport crutches and other assistive products—is committed to hiring veterans and individuals with disabilities and is designing its training and manufacturing facilities to accommodate all levels of physical ability. A $100,000 investment of WIA set-aside funds will go toward workforce recruitment and integrating the company's training with established college degree and certificate programs. The company is investing $10.4 million to build the facility and establish its training programs, creating at least 200 jobs.

Congress must also prioritize and modernize the Workforce Investment Act. It's been well over a decade since Congress revised this law. Much has changed in the work place, much has changed in business, and much has changed as evidence by today's modern, high-tech economy. We are also learning much. The ability for States to innovate in their own, unique set of circumstances will always yield the best outcomes for individuals, and the best lessons for other States.

Question 4. Are there any barriers at the Federal level that you have identified during your work? Could you expand on your testimony with specific issues identified?

Answer 4. Among the biggest barriers for people with disabilities is the fear of losing public benefits when people with disabilities become employed. Many of the supports that benefits underwrite are critical to employment they need to function every day, such as personal care attendants. Providing States with flexibility to allow individuals to work and still maintain essential benefits is critical to ensuring that people with disabilities do not have to choose between the benefits they need and employment.

JANE BOONE

Question 1. Last year the Social Security Administration did not issue new grants for the Protection and Advocacy for Beneficiaries of Social Security and Work Incentives Planning Assistance programs. As you know, these programs provide valuable advocacy, information, and training for people with disabilities receiving Social Security benefits to help the beneficiary return to work, thus reducing dependence on Social Security and encourage independence. These programs helped thousands of people with disabilities return to work each year, which benefits Federal, State, and local budgets. Do you think the Federal Government should be funding these programs to help people with disabilities return to work?

Answer 1. To provide the most up to date information, Jane Boone collaborated with Washington Initiative for Supported Employment and the King County Developmental Disabilities Division in early March 2013 to answer these questions. A brief statewide survey on this topic was conducted between March 8 and March 12 and the responses are compiled in the attached six page document "*Washington State, March 2013 Survey on WIPA and PABSS Programs*". Responses affirm that unquestionably yes, Federal Government funding of these programs including Work Incentives Planning Assistance (WIPA) in particular and the Protection and Advocacy for Beneficiaries of Social Security (PABSS) are important tools in getting people jobs. Both programs helped people navigate the SSA system; reduce their fears, concerns, and go to work in Washington State.

Question 2. Are there any examples in your State of the positive impact of the Protection and Advocacy for Beneficiaries of Social Security and Work Incentives Planning Assistance programs? Please provide one or two examples and describe the benefits of the grant.

Answer 2. The attached summary includes examples of people in Washington State who participated in WIPA guidance, got jobs and reduced or eliminated their dependence on Social Security benefits. Respondents also commented that the loss of the Medicaid Infrastructure Grant negatively affected the State's ability to support people to work. Additional information about the value of WIPA and PABSS at the national level (including papers and citations) is available from David Hoff (*David.Hoff@umb.edu*) at the Institute of Community Inclusion, UMASS/Boston.

Question 3. In your work in Washington State, what was the impact of employment programs such as "Jobs by 21 Employment Partnership Project?"

Answer 3. The impact of the Jobs by 21 Partnership Project was evaluated by the Institute of Community Inclusion (ICI UMass/Boston). The evaluation is available in *The Washington State Jobs by 21 Partnership Project Report for 2009*. To summarize, in 2007, the Washington State legislature allocated funding for the Jobs by 21 Partnership Project to identify best practices that would result increasing employment of young adults with developmental disabilities prior to and after leaving school transition programs. The project demonstrated that partnerships between school districts and the adult service system including vocational rehabilitation, developmental disabilities and employment agency providers resulted in higher student employment rates. The evaluation shows that student participants were more likely to achieve employment following school exit and had stronger employment outcomes than students who did not participate in Partnership Projects. Data suggest that improved employment outcomes occur by leveraging and maximizing financial and in-kind resources and strengthening the collaborative relationships among project stakeholders. Citation: Winsor, J.E., Butterworth, J., Boone, J. (2011) "Jobs by 21 Partnership Project: Impact of Cross-System Collaboration on Employment Outcomes of Young Adults with Developmental Disabilities." Intellectual and Developmental Disabilities 49(4): 274–84

The evaluation provides evidence that when students with intellectual and developmental disabilities are expected and collaboratively supported to work in a good job, and start their career exploration, skill development and resume building at an age typical to their peers, they are more likely to get good jobs, go to work and stay working in the years following school. With access to good information, job developers and job coaches, assistance with benefits planning and assistance figuring out public transportation, students are more likely to go to work with community employers before they leave school at age 21. The first intentional collaborations in transition from school to employment projects as described above began in Washington State in Thurston County in 1991. Students who got their first jobs at that time are now over 40 years old and well into their careers, while many students who did not participate remain unemployed. It has become clear during the last two decades that the positive impact of effective transition from school into employment continue across a work lifetime. Students with intellectual disabilities aged 18 to 21 who begin working in good jobs with community employers are also more likely to avoid the crisis of exiting school and staying home during the day or placement in a segregated work or habilitation center. The formal evaluation conducted by ICI also demonstrated that this cohort stayed employed at a higher rate after exiting school.

The collaborative supports available to students require multiple partners (during and after school) to align expectations and leverage resources toward the common goal of good jobs for students with intellectual and developmental disabilities exiting school. In Washington State, the Division of Developmental Disabilities and county government provide the leadership role needed for the collaborative effort involving school districts, employment agencies, Vocational Rehabilitation, employers and families.

Question 4. Are there any barriers at the Federal level that you have identified during your work? Could you expand on your testimony with specific issues identified?

Answer 4. It would be helpful for the Federal Government to:

(1) Invest in employment by reimbursing States a portion of the savings realized by the Social Security Administration and Medicaid when SSI and SSDI working age adult recipients go to work and report earnings. Earnings in integrated employment of SSI and SSDI recipients are readily available through State and Federal unemployment insurance departments.

(2) Increase the Federal match to States providing integrated employment supports to Home and Community Based Services (HCBS) waiver recipients to the same level of Federal match available to Vocational Rehabilitation (VR) participants. Integrated employment options, other than through VR, are currently reimbursed through Medicaid. The Federal Medical Assistance Percentage (FMAP) available to States from Medicaid is the same rate for integrated employment, sheltered work, and day habilitation. A Federal reimbursement rate to States that does not differentiate the value of States providing integrated employment supports from States providing sheltered work or day habilitation programs, combined with chronically low expectations of people with disabilities means people who could work do not.

(3) Allow Vocational Rehabilitation to extend the period of on-the-job supports for the workforce with long-term support needs, including people with traumatic brain injury, very severe physical or psychiatric/behavioral disabilities and people with intellectual disabilities.

Specific to the workforce of people with intellectual and developmental disabilities, Federal barriers exist on multiple levels. A significant barrier is the lack of expectation cemented in fiscal policy that people can and need support to work and can meet employers' business needs. If Federal policy and funding reinforced the expectation of work, it would be easier for States and businesses to improve employment outcomes. Currently it takes very strong leadership at the State and local level to deliver employment first policy and expectation. It would be easier if Federal policy and funding were aligned with employment first goals. The billions of dollars in the Medicaid budget alone seems to be reason enough for the Federal Government to be interested in making integrated employment an attractive option for States to develop and offer.

The lack of expectation of employment at the Federal level began in well-meaning policies and budget directives that originated over half a century ago, based on the outdated notion that people with complex disabilities are "unemployable", similar to the 1950s thinking that children were "uneducable". Both myths are now disproven. The Federal Government recognized this in the early 1970s with Public Law 94–142 (Education for All Handicapped Children Act) but there has not been a similar "aha" regarding Employment for All, and the Federal Government has not made the investment in States needed for States to create the cost-effective infrastructure required to support integrated, competitive employment.

Medicaid provides FMAP for day activities for people with the most severe disabilities. Rules are based largely on a segregated/medical/caretaking model and FMAP is the same regardless of the activity. The rules and funding policy do not support integrated, supported or customized employment. Support to States from the Federal Government does not make employment for the workforce of people with intellectual disabilities the most attractive support States can offer, yet it is the single most cost-effective support funding can provide to this population and a highly desirable outcome of government-funded supports. To attain what Senator Harkin sees as the goal of the ADA generation—participation in the middle class—people need to work in good jobs at good wages with decent benefits. To support this segment of the Nation's workforce to leave poverty behind and enter the middle class, the Federal Government needs to align policy and funding to make achievement of integrated, competitive employment possible for individuals with complex disabilities.

To get a strong start on employment, our Nation needs to expect and support youth with complex disabilities, during the transition years prior to exiting school at age 21, to have access to collaborative efforts between State and local government, adult service agencies and school districts and to participate in career and technical education. During my testimony, I asked the HELP committee to insist on the cross agency collaboration to achieve the goal of employment for youth and adults. To achieve typical levels of employment at median wage or better, common employment definitions and accountability, common goals and clear measurement of progress and success needs to be in place across Education, Labor, Rehabilitation, and Medicaid.

With Federal support, States can more effectively take the lead with employment of their workforce with disabilities. Currently, 27 States participate in the State Employment Leadership Network (SELN), staffed by the Institute for Community Inclusion and the National Association of Directors of Developmental Disabilities Services. In their 2011 Accomplishment Report, the SELN identified elements critical to effective achievement of employment of the workforce of people with disabilities. Our Nation's ability to accomplish the goal of employment of our workforce with disabilities would benefit from these elements being in place at the Federal level:

SELN 2011–2012 Accomplishments Report: The SELN supports States formulate and achieve employment goals that lead to systems change. The following approaches and expectations are the hallmarks of SELN member States as they strive to improve integrated employment outcomes.

• Leadership.—Clear and unambiguous commitment to employment in individual community jobs, from top leadership through all levels in the system. Local and State-level administrators are champions for employment.

• Strategic Goals and Operating Policies.—Employment is identified as the preferred outcome in State developmental disabilities policy, and is supported by program goals and operating practices that are clearly designed to achieve that objective.

• Financing and Contracting Methods.—The outcome of employment in individual integrated community jobs is emphasized and supported through the State's resource allocation formulas, reimbursement methods, and rate-setting practices.

• Training and Technical Assistance.—High-performing employment systems invest in the development and maintenance of a strong, competent workforce, building the skills of job coaches and developers, supervisors, and key employment staff.

• Interagency Collaboration and Partnership.—Building relationships with key State and local agency partners, such as vocational rehabilitation, education, mental health, and the State Medicaid agency, removes barriers to employment supports as people transition from one funding stream to another.

• Services and Service Innovation.—Service definitions and support strategies are structured and aligned to facilitate the delivery of employment supports to all individuals with developmental disabilities, regardless of the intensity of their needs.

• Performance Measurement and Data Management.—Comprehensive data systems are used to measure progress, benchmark performance, and document outcomes. Information is gathered on key indicators across employment and other related systems and is used to evaluate and track results, inform policy, and improve provider contracts and service agreements. Data are shared with other State agencies to report results and improve quality.

For more information on the State Employment Leadership Network, contact *John.Butterworth@umb.edu* or *Suzzanne.Freeze@umb.edu*.

ATTACHMENT—WASHINGTON STATE SURVEY ON IMPACT OF LOSS OF WIPA AND PABSS FUNDING SUMMARY FINDINGS

Question 1. What is your position and your role (local, regional, statewide)? (*16 total respondents to survey*)

Response:

(1) Benefits Specialist for Division of Vocational Rehabilitation: Region—one third of the State

(2) Employment Resource Coordinator, County Developmental Disabilities Division: Urban area

(3) Senior Program Manager at Washington Initiative for Supported Employment: Statewide

(4) Associate Director of Center for Independence: former western Washington WIPA contract

(5) Executive Director, Advocate

(6) Supported Employment Agency Director: Rural county

(7) County Developmental Disabilities Program Administrator: Metropolitan and Rural county

(8) Parent Coalition/Parent of adult child with developmental disabilities: Eastern WA

(9) Benefits Planner, local government metropolitan county: Western Washington

(10) Vocational Rehabilitation Counselor (unidentified location)

(11) Partner, Pierce, Jones & Associates regional

(12) Benefits Planner

(13) Special Education Teacher and Transition Specialist, Urban school district

(14) County Coordinator for Developmental Disabilities: Metropolitan county

(15 & 16) Anonymous respondents to survey

Question 2. Has the loss of funding for the WIPA and PABSS programs affected individuals' dependence on Social Security? (*14 responded "YES", 2 responded "NO"*)

Response:

• Yes—the loss of funding has increased the dependence on Social Security. Without guidance and support from the WIPA and PABSS programs, beneficiaries do not have the knowledge they need to overcome their fears of working and how it affects their Social Security.

• Yes—the individuals are not able to get accurate information about the impact of work on their benefits (or support for problems with SSA through PABSS) they are less likely to seek employment due to fear about losing benefits and myths they hear from others. By not seeking employment or limiting their earnings from employment unnecessarily, they remain dependent on Social Security.

• Yes—when people do not have access to benefits planning, they do not know what happens with their benefits when they go to work. This makes people fearful

of trying employment due to fear of losing their benefits—especially medical coverage.

• Yes—prior to WIPA, individuals routinely made the decision to not work for fear of losing benefits altogether. Through WIPA, widespread myths about working and the full loss of benefits has been widely dispelled. Individuals have become educated to understand that working, gaining independence, and relying less on Social Security and government systems is not only possible but encouraged by most systems without resulting in a total loss of fundamental supports and benefits. With the loss of WIPA, the myth that one can't work while receiving benefits has strengthened and is spreading, thereby encouraging greater reliance on Social Security and other government systems.

• Yes—lack of information tends to result in crisis for some individuals (such as overpayment of benefits, unexpected loss of Medicaid eligibility, etc.) and those stories spread like wildfire, along with the message that work is not possible. For years, with WIPA-funded benefits specialists and the Medicaid Infrastructure Grant funded assistance, we were making good headway toward employment and a reduction on reliance on SSA, and now, with a major source of benefits planning unfunded, we are losing some of the best-trained Benefits Planners. This lack of access to good information has caused people to be more dependent on Social Security and other public benefits.

• Yes—the loss of this funding has significantly affected individuals who receive Social Security because they are unsure of how many hours and how much money they can earn. When these individuals are unsure and afraid they will lose their benefits entirely, they tend to reduce the amount of hours they work or stop working all together.

• Yes—recipients no longer get the same level of assistance in reviewing their Social Security and other benefits prior to going to work. People do not understand the impact that work will have on their benefits and are afraid to work.

• Yes—our agency provided expert benefit planning with WIPA funding to Washington State for 12 years. Daily, we continue to hear from dozens of people needing benefit planning assistance or help untangling the SSA overpayment web, but we no longer have funds to help them.

• Yes—SS is a large and complex program; we have had a decrease in IRWE's, PASS plans, and IDA's. There has been an increase in individuals owing money back to SS because they do not know how, or are not able to fully comply without some assistance.

• Yes—I think there are always concerns that people have regarding going to work and not having a good understanding on the potential impact to their benefits. Having agencies or organizations specializing in this area available to provide the needed information has been valuable in addressing those fears/concerns as it is a complicated system for the typical person to navigate and understand. Several people I have worked with have no understanding or mis-understanding of how much they can work and/or how to use SS work incentives. As a result they either choose to work less than they are able to or not work at all.

• Yes—beneficiaries tend to be hesitant about going back to work due to a fear of loss of benefits. Without individuals to provide assistance and assurance through the return to work process, many beneficiaries are choosing not to pursue work.

• Yes—individuals who do not know how employment will impact their benefits are unlikely to return to work, or may return to work without reporting appropriately. This can lead to suppression of earnings potential, or to overpayments or other unexpected impacts. Often these unexpected impacts lead to individuals deciding not to continue working.

• No—(*no additional comment*)

• No, we have not done much with WIPA in our county, but it will later stretch other resources. Protection and Advocacy is very important in all States.

Question 3. Has the loss of funding for the WIPA and PABSS programs affected the employment outcome of people with disabilities going to work or returning to work? (*14 responded "YES", 2 responded "NO"*)

Response:

• Yes—if individuals are not able to get accurate information about the impact of work on their benefits (or support for problems with SSA through PABSS) they are less likely to seek employment or limit their earnings due to fear about losing benefits and myths they hear from others.

• Yes—Positive Solutions and Plan to Work (Washington State's former WIPA contractors) worked with individuals with disabilities to overcome the obstacles that may discourage them from choosing to work or return to work. Their services included resolving overpayments; reducing fear about losing supports and services due

to work; understanding how to report to Social Security and other government programs when working; and utilizing Social Security work incentives to maximize benefits and build wealth.

• Yes—it was very helpful to be able to give people general information that dispelled some of the myths around benefits and working, and refer them to the two Washington State WIPA funded contractors for people to call. There were times that I could refer to other resources as well, but that was hit and miss, depending on the area of the State. The loss of the resources, coupled with the loss of the Medicaid Infrastructure Grant funding, has had a tremendous impact. In addition, for those that needed the Protection and Advocacy system, I could refer folks to the Protection and Advocacy System people at Disability Rights WA. As a State and a country, we are expecting a lot of people who are reliant on benefits when we expect them to work. We know it is well worth it for people to get a good job, but the recipients must have good, individualized information to overcome the fears of loss of benefits, and to be able to make informed choices about their career decisions. When good information is available, people overcome their fears and go to work . . . I've seen it time and again.

• Yes, without Benefits Planning help, SSA and SSDI recipients are back to the fear mentality, thinking all their benefits will be lost if they go to work.

• No—our county decided to replace the loss of Federal funding with local funding previously dedicated for agency training and instead use it to pay for the benefits planning service. (*Note*: *this is an indication of how critical benefits planning services are in removing barriers to work for SSA recipients, but in this case, reduced funding available for agency training*.)

• Yes—Plan to Work and Positive Solutions (the State's 2 WIPA contractors) provided critical information, guidance, and instruction to individuals who were nervous about working because of the potential impact of working to their Social Security benefits. People work hard to get their SSA benefits in place and do not want to compromise them by working. Without a proper benefit analysis that reflects their own specific situation of SSA and working, people sometimes choose not to work. Plan to Work and Positive Solutions reduced peoples' fears of working, and provided knowledge to individuals so they could make informed decisions about their employment and their employment goals.

• Yes—we serve many individuals who without a benefits plan completed by a professional, choose not to work. They are afraid they will lose their medical benefits and there is little information out there to combat these urban myths.

• Yes—I can think of two specific examples in which the person was working limited hours due to their misunderstanding that they could work more without losing all of their benefits. In both cases after working with a WIPA specialist, they began working more hours thus decreasing the amount of SS benefits they were receiving. In other cases, I am aware of people not wanting to work at all for fear of losing their benefits. After information is provided regarding of how going to work will impact their benefits, they were willing to pursue employment. Anyone who is working is paying taxes, spending money on goods and services so additional money is going back into the tax base.

• Yes, one of the hidden benefits of the WIPA program was that CWICs often caught potential overpayments, provided guidance about Work Activity Reviews, and explained work incentives such as subsidies and special conditions. Without this information, many beneficiaries are intimidated by the communication they receive from the Social Security Administration, a normal mailing such as a Work Activity Review can instill fear in a beneficiary. Without a venue to receive assurance and information from, many beneficiaries opt to quit work instead of risk their benefits, even when there may be no substantial risk.

• Yes, there are many myths surrounding working while on disability-based benefits that cause beneficiaries to avoid or fear pursuing work goals. Without access to clear, accurate information, some individuals are unnecessarily avoiding work altogether.

• No (from county that did not use WIPA contractor)

Question 4. Please give a few examples (individual stories) of the positive impact of PABSS or WIPA programs in Washington State.

Response:

• One person we worked with believed he was only allowed to work 15 hours a week or lose all his benefits. Through benefits planning with him, this individual was able to work 32 hours a week. After 1 year, he became a full-time employee. Another individual we serve worked full-time after discovering that he had not used his SSA allotted trial work months. After the trial months were over, he determined that he actually could work full-time. He is no longer receiving SSA benefits.

• An SSI recipient had chosen not to work due to fear of losing her SSI cash benefits and Medicaid. She was referred to Positive Solutions (Washington State WIPA contractor) by an employment support agency that was actively trying to help her find employment. Positive Solutions not only helped Jen understand that she could make more money by choosing to work, all the while maintaining her Medicaid, they eventually helped her develop an Impairment-Related Work Expense (IRWE) so that she could afford some of her personal costs associated with working, including transportation. This story is common. With a little guidance and support, individuals routinely made the decision to work and rely less on Social Security. When SSA recipients understand Social Security rules, their responsibilities, and the fundamental concept that it is ok to work without losing all supports, they go to work.

• Larry contacted a WIPA program when he had a pending job offer. He quickly became full-time and started using his Trial Work Period Months. At first, Larry was apprehensive about moving off of benefits, but after working and receiving benefits counseling, he has now used his Grace Period months and his cash benefit has been paused. He does not feel like he would have made it this far without the support of WIPA. Donna is a struggling single mom on SSDI. She has two children living with her. After speaking with a benefit counselor, Donna was advised to contact her Social Security claims representative and inquire about receiving auxiliary benefits for her children. It turns out she was due auxiliary benefits and the extra money she will be receiving will help her put food on the table and provide for her children. Ty contacted a WIPA program when his Representative Payee, his mother, informed him that he should not take an increase of hours at his employment. He has been working steadily for several years, and had decided to try for more hours, and eventually a promotion. Through the WIPA program's information and work incentive counseling, Ty and his Representative Payee were able to see how a subsidy would help Ty keep his SSDI for longer. He has increased his hours, and is now more financially stable. Also, he has been talking with his mother about accepting a promotion and moving out on his own, eliminating his reliance on benefits and increasing his self-sufficiency.

• While federally funded, the WIPA program provided people with information to make informed choices about employment by better understanding the impact of work on their benefits. For the past decade, the WIPA's served anyone who needed benefits planning, both individual services as well as community presentations. Between multiple resources (WIPA, DVR, DDD), most individuals with disabilities had access to quality benefits planning by certified benefits specialists. This kind of planning provides individuals with an accurate understanding of the impact of work in their cash and medical benefits, dispels myths, facilitates use of work incentives and provides guidance for problems with Social Security. This allows individuals to work to their potential; keep needed support services, and increase their income using work incentives. The service of benefits planning has a positive impact on individuals seeking and maintaining employment as well as increasing their monthly income. PABSS provides systemic advocacy as well as providing support with some individual problems. Every service provided by the WIPA programs and PABSS has a positive impact on the lives of people with disabilities and their communities.

• During the 12 years we provided Benefit Planning, we saw people start out working part-time, then increasing their time as they felt able, resulting in many going off their government-funded benefits entirely. Additionally, with support and planning, many were able to utilize and partner with other benefit opportunities to purchase homes or start their own business.

• One individual worked with a WIPA to have a large overpayment that was Social Security fault forgiven. IRWE's or PASS plans are used for individuals to pay for their transportation to and from work so that they are able to work at businesses that are not on the bus line.

• WIPAs have provided long-term services to help people move toward their employment goals, and to help them retain their employment outcomes. Sometimes, this results in something small, like an individual working part-time, reducing their SSI benefit, and paying more into the system through taxes. Other times, this can result in an individual understanding the system and moving entirely off benefits!

Question 5. Please provide any other information that you think would be of assistance regarding WIPA and PABSS.

Response:

• The loss of funding for WIPA, as well as the loss of the Medicaid Infrastructure Grant, has been a devastating blow to Washington State. I receive several phone calls and e-mails from individuals with developmental disabilities and their families every day with questions about their benefits, and the impact of work on those benefits. They have already spoken with Social Security, and yet they continue to have

many unanswered questions, as well as a fear to go or return to work. To whom do I refer them? Without basic guidance, education, and support, people often make the decision to not work. The impact is great: without work, individuals lose an opportunity to gain independence, build wealth, and develop meaningful skills; their community loses the opportunity to get to know them and shed preconceptions about disabilities; and family members sometimes lose their own independence and ability to work as they stay home to support their loved one.

• DVR has internal Benefits Specialists who provide benefits planning services to open DVR cases. We are not considered WIPA's but our customers receive similar services to the WIPA's and positive outcomes about benefits planning are likely similar across organizations. The loss of WIPA services is significant because thousands of people with disabilities will no longer have access to free quality benefits planning services. Many organizations, including Mental Health clients, Developmental Disabilities clients, those serving individuals with brain injuries, etc. believe benefits planning is important but few have resources to pay for this service. In addition, Washington recently lost Medicaid Infrastructure Grant (MIG) funding which supported the statewide benefits planning network. The funding was used to provide technical assistance, ongoing training and maintaining connections across organizations of certified benefits specialists. The statewide benefits specialist network is a unique group who works together across agencies to help all members of the network gain more knowledge, problem solve, advocate all of which results in higher quality services for customers. A study by Cornell University notes that it can take up to a year for someone certified as a benefits specialist to become independent and that ongoing training, mentoring, staffing, etc., supports their professional development.

The MIG funding provided a structure for this that no longer exists.

• I am concerned about the loss of the Medicaid Infrastructure Grants that came to the States, as these helped, at least in Washington State, to provide ongoing training and technical assistance that benefits planners need to continue to improve their skills and remain connected to a professional group with the same goals. In addition, the funding allowed State policymakers to collaborate with other policymakers around the Nation and share stories of success, and brainstorm strategies to address issues regarding employment. This is very important in moving to a system that encourages and supports working in good jobs for adults with disabilities.

• The planners were able to educate and guide people through the multiple State and Federal programs. They were also able to help alleviate some of the burden on SSA employees by either educating the consumers or guiding them through the incentives and reporting of wages to maximize their earnings, prevent overpayments, and alleviate the fear of working without a safety net.

• This program was instrumental in informing individuals and agencies of the accurate information needed about Social Security rules and supports to work. With this information, agencies helping people get jobs can better assist and plan for SSA recipients to become self sufficient.

• The loss of funding to these programs has had a direct impact to the work I do. I work with individuals who are part of the Division of Developmental Disabilities (DDD), but I receive many phone calls from individuals who are not part of DDD. Patt Buff of Plan to Work (former WIPA contractor) was a contact for me to refer to for assistance for folks who are not a part of DDD. I was also able to refer individuals from other counties who do not have a benefits planner to Patt. Now there is a growing need for such a service in smaller counties who are trying to help people on their path to employment, many of whom believe they will lose their benefits if they start working. These individuals need a benefits planner to help them understand how work affects their SSA benefits. Patt broke down these barriers.

• We ask people on title II and title XVI to go to work, and I think we should: but we must also be sure that these individuals are given all the needed information and supports they need to ensure that the benefits that they need stay in place. We need folks to know that they can work and keep their medical benefits or buy into the program as their incomes rise.

• I think another area that the Federal Government should consider is increasing the amount people can earn on SSDI, $1,010 prior to losing their whole benefit and look into making it similar to SSI where it is more a gradual shift. I feel this could also save money for the Social Security Administration in the long run.

• People feel safer looking for work, expecting to work and wanting to be productive society members when they know there are systems in place that will help them stay safe and we all know that working with assistance is far more advantageous to the economy of this country in the long haul than mere public assistance.

For more information on this survey, contact Jane Boone: *JaneBoone@comcast.net*.

MICHAEL O'BRIEN, ED.D, CRC, CVE

Question 1. Last year the Social Security Administration did not issue new grants for the Protection and Advocacy for Beneficiaries of Social Security and Work Incentives Planning Assistance programs. As you know, these programs provide valuable advocacy, information, and training for people with disabilities receiving Social Security benefits to help the beneficiary return to work, thus reducing dependence on Social Security and encourage independence. These programs helped thousands of people with disabilities return to work each year, which benefits Federal, State, and local budgets. Do you think the Federal Government should be funding these programs to help people with disabilities return to work?

Answer 1. Yes, I am convinced that new grants should be issued for the Protection and Advocacy of Social Security and Work Incentives and Planning Assistance programs. Oklahoma citizens benefited from these grants. However, I think additional guidance should be provided so there is more focus on full-time work and less focus (by some benefit planners) on part-time work.

Question 2. Are there any examples in your State of the positive impact of the Protection and Advocacy for Beneficiaries of Social Security and Work Incentives Planning Assistance programs? Please provide one or two examples and describe the benefits of the grant.

Answer 2. In Oklahoma we felt that benefit planning through the WIPAs was so critical that we added eight of our own that we paid for from our budget. For a period of time the two sets of benefit planners overlapped across the State and were able to meet with more than twice as many clients. Our own benefit planners, certified by Social Security, helped us more than double the number of Social Security recipients leaving the roles. We would expect these increases to be even greater if the WIPA program was returned.

DONALD R. UCHIDA

UTAH STATE OFFICE OF REHABILITATION (USOR),
SALT LAKE CITY, UTAH 84114–4200,
March 7, 2013.

Hon. PATTY MURRAY,
U.S. Senate,
Washington, DC 20510.

DEAR SENATOR MURRAY: I am responding to your "Questions for the Record" from the Senate Health, Education, Labor, and Pensions Committee hearing on "State Leadership and Innovation in Disability Employment" held Tuesday, February 26, 2013.

Question. Do you think the Federal Government should be funding these programs [PABSS and WIPA] to help people with disabilities return to work?

Answer. Emphatically, yes. We, in Utah feel this service is so critical that we decided to divert direct client service money to fund these positions when the Social Security WIPA funding went away. This was the 4th partnership mentioned in my written testimony. As I stated in my testimony, we run VR like a business and you have to invest money to generate money.

Attachment 10 in the packet accompanying my written testimony indicates the level of beneficiaries we have involved in vocational rehabilitation preparing these individuals to go to and go back to work. Attachment 11 shows the return on our investment of keeping these WIPA staff intact. Our goal/benchmark is to get back at least $1 million each year in Social Security reimbursement for the individuals we get and keep working at a level that they are taken off disability benefits.

Accompanying this letter are some success stories gathered from our UWIPS/WIPA staff.

Thank you for your interest in our program.

Sincerely,

DONALD R. UCHIDA,
Executive Director.

UWIPS/WIPA SUCCESS STORIES

I.

I recently assisted a client in learning about how work impacts his Social Security benefits. He was offered a position working as a carpenter renovating several Motel 8's to become accessible for people with disabilities. Upon completion of our Benefits Summary presentation, he realized he could accept and work at this full-time position earning $12 per hour. Although he would not be eligible for a SSI cash benefit during this employment venture, if he was physically unable to complete this project his case at Social Security would remain on hold for 1 year in case there was a change in his employment status, which gave him the confidence to work full-time.

II.

I met with a client who was referred to me by a community partner. He originally went to the community partner looking for income to supplement his SSDI check. They were able to find him a job working at the local mine as a security guard. When the job became a reality, he was hesitant to take the job because he feared how his SSDI benefits would be affected. The community partner recommended he meet with me to go over the SSDI program guidelines.

After meeting with me and learning about the Trial Work Period and Extended Period of Eligibility, he decided to take the job. He is now working about 30 hours per week earning approximately $10 per hour, which is above SGA. He will try out working and see what he is capable of doing. He thought he may be able to go full-time once his body adjusts to the number of hours he is working now. This is a great example of how someone's life can be changed, as they have the knowledge and information provided by the WIPA/UWIPS program.

III.

I met with a client in January 2012. She is a concurrent beneficiary who has been receiving disability income since 2001. The client's disability includes bi-polar, depression and anxiety. At one time she was considered severely and persistently mentally ill. She stated she received counseling and with the right medication she began to stabilize and life "calmed down". She began a protected employment position as a secretary at a local mental health center in September 2011 working about 12–13 hours per week earning approximately $400 per month. In April 2012 she moved to a position with more hours and started using her Trial Work Months.

She continued to do well and in June decided to move to a full-time position earning $9 an hour plus commission, which is earning above SGA. The client stated that because she received WIPA/UWIPS services she understood her Social Security benefits better and this gave her confidence to move to a full-time position. She said that because she would continue to have the medical coverage she needs and she has the option through Expedited Reinstatement to get back on benefits if something happens, she felt comfortable moving toward full-time employment.

Her Trial Work Months will end in September 2012. The client is excited about her progress and said it feels good to do this because she is a better example to her kids, she wants to be financially independent, and she is looking forward to the work environment and friendships she will develop.

IV.

A client was referred to me by his service provider. He was receiving SSDI and also the Community Supports Waiver from the Division of Services or People with Disabilities (DSPD). The services he received from this waiver had allowed him to maintain his independence. He had been working part time for the past 5 years at a local store, and had received a letter from Social Security informing him that his SSDI was being terminated as of June 2011 due to earnings over SGA, and he had an overpayment of $8,500. His biggest concern was the potential loss of his Medicaid, and his Waiver status.

After review of his situation, I suggested that he contact PABSS to assist him with the overpayment issue. Based on the information he had provided, it appeared he may be eligible for a work incentive, a subsidy. PABSS could help him pursue requesting a retroactive subsidy, which would be appropriate in his work situation, and could impact the amount of his overpayment. I suggested his Representative Payee contact the Area Work Incentive Coordinator, Esther Medina, at Social Security to make sure they were reporting earnings appropriately, as well as to gain information on additional responsibilities they may be unaware of as a professional Rep Payee.

I informed the client and his service provider that even if his SSDI benefit was terminated, he would maintain his Medicare for several years and could still qualify for his Medicaid based on his income and disability, thereby allowing him to maintain his Medicaid Waiver services. He would have to provide his disability information to the State Disability Board at some time in the future to be determined as disabled without his Social Security Benefits.

The clients' earnings from his job were higher than his SSDI payment, and due to his ability to maintain the medical benefits and Medicaid Waiver services, it was his preference to continue his current work schedule and earnings, and let Social Security terminate his SSDI cash payment.

v.

I met with a client in 2011 for WIPA/UWIPS. The client has a mental health disability and is receiving SSDI. She is single and does not have any children. When I first met with her she was working 20 hours or less per week. After receiving WIPA/UWIPS services she decided that, because of the work incentives provided, she would set a goal to increase her hours to 25 per week. She accomplished this goal in 2012. She contacted me during this quarter to review Extended Medicare Coverage and Expedited Reinstatement because she would like to increase her hours to full-time.

[Whereupon, at 4:31 p.m., the hearing was adjourned.]

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