

Date: 6/23/2014

From: Bonni M. Crisfulli, CAPM

To: Sunset Advisory Commission

Re: Department of Assistive and Rehabilitative Services and 2014 Sunset Staff Report Issues

Ladies and Gentlemen of the Commission,

First and foremost, I would like to express my sincere appreciation to each of you for allowing me the opportunity to have this time with the Committee to express my concerns. While I regret that I was not able to travel to Austin to speak to you in person today, I do look forward to having the opportunity to meet and work with each of you in the very near future to help foster solutions to issues which have been affecting DARS, both in the past several months and in its current state of operations.

As each of you may already be aware via the 2014 Sunset Report, there have been critical issues which have arisen within DARS that have raised great cause for concern. As a person who has had my life severely and negatively affected by such, it is with a sad heart that I am addressing these issues with you today via this correspondence.

To initially bring light to the issues I will be addressing, I would like to direct your attention to the Sunset Review team assignments document, which reflects the assignment of projects for 2014 (See EXHIBIT A), and would ask the Commission the following preliminary questions:

- How many of the staff who have been assigned as “*Project Manager*” to The Staff Report are formally trained in project management practices and are certified by a credible project management professional organization ?
- What specific project management methodology are they adopting as the standard for the basis of conducting these review projects ?
- What quantifiable metrics have been adopted to ensure that these reports have truly reflected the root-cause of many of the issues that DARS is experiencing ?
- Why, when I have addressed these exact questions prior to a member of The Commission, do I fail to receive an answer, or even a reply for that matter ?

With the above questions proposed, I would like to share with you some of the key issues I have had to face over the past several months when interacting with DARS as a stakeholder. I stress here that these issues did not begin to surface until new management of the Assistive and Rehabilitative Services division had arrived in August of 2013 and December of 2013 respectively. During this period, I have seen the entire culture change at DARS from one that was consumer-centric to one that has become totally manager-centric with little regard for their stakeholders. Put simply, DARS is being managed like a Fortune 50 corporation, complete with excessive executive management compensation and management narcissism.

I would remind both the Sr. leadership of DARS and The Commission of the vision and mission statement of DARS, which I quote from the 2014 Staff Report (see EXHIBIT B):

“to improve the quality of their lives and to enable their full participation in society. To achieve its mission, DARS focuses on providing time-limited services through the following key activities.

- *Providing Texans who have disabilities with assistance in preparing for, finding, and retaining employment.*
- *Helping Texans with disabilities gain functionality, avoid institutionalization, and live independently in their communities.*
- *Providing early intervention services to children who have disabilities and developmental delays to meet their educational and developmental goals.*
- *Making medical disability determinations for Texans who apply for Social Security Administration benefits.”*

With the above mission statement clearly defined, can anyone on the Sunset Commission please explain why the following is occurring ?

- Persons with disabilities are **not** provided with the adequate resources in which to find employment. There have been documented cases where consumers have lost opportunities for employment due to not having the adequate transportation and professional resources in which to help them.
- Persons with certain disabilities have been favored over others concerning assistance to obtain educational training. There have been high-potential consumers who have been denied educational opportunities while they learned that a consumer from the Blind Services division was awarded assistance to obtain an MBA degree.
- Persons with disabilities have been denied an opportunity to have assistance with housing needs, a crucial element to securing meaningful employment. **One consumer has been left homeless and nearly starving** with little regard from this person’s counselor or area / division managers to correct. Ironically, the DARS Area Supervisor overseeing this case participates as a community liaison for a nonprofit which claims to advocate for homeless people, yet this recently appointed supervisor refuses to approve assistance for her consumers undergoing this hardship. (see EXHIBIT C): <http://www.txcpsh.org/about-us/leadership>
- Persons with disabilities have experienced discrimination and condescending attitudes from mid to Sr. level management concerning which careers and job opportunities to pursue, based solely on their personal bias that persons with disabilities are incompetent and unworthy of upper level management jobs. In a recorded meeting with one consumer, the Area Manager suggested that the consumer get “any” job and responded with the inappropriate comment of “.....I don’t see why you have a problem with finding any job. After all, I had to wait tables when I was first starting out.....”
- Sr. level management has carefully and effectively trimmed the division’s budget to the point that consumers are not receiving the assistance they need. How ironic, however, that one of the Sr. Regional Managers who engages in such currently enjoys the luxury of residing in a \$350K + home in an affluent community in Flower Mound.
- Mid. to Sr. level management has engaged in dishonesty and false proposals to consumers. In the meeting aforementioned, said managers proposed one thing, but later then failed to deliver on their proposals.
- A dysfunctional Ombudsman system which fails to resolve issues quickly and effectively. Consumers are often not afforded a reply back to their concerns and in one instance, a consumer

asked in writing to speak to the Division Commissioner after being dissatisfied with the treatment she was given by the Commissioner's direct reports. Sadly, the consumer never received a reply.

Given the above facts, I ask each of you on the Commission:

- Is DARS truly living up to its mission and vision ?
- Is the culture of DARS such that it values respect and fairness in how it treats persons with disabilities, or does it reflect a corporate hierarchical and autocratic power structure of *Do what we say or else* ?
- Why were these issues not reported and addressed earlier by the Sunset Commission's project managers ?
- And most importantly, why are these Mid. To Sr. level managers still employed by the State when they have clearly and repeatedly demonstrated that they lack both the leadership and the organizational skills to effectively carry out the DARS mission and strategic vision ?

The answers are clearly simple. Based upon my direct experiences with DARS and via my interaction with DARS' Sr. Management, I have reason to believe and do believe that the following has occurred and is currently occurring at DARS:

- Persons with disabilities have experienced and are currently experiencing Title VII discrimination of the Civil Rights Act of 1964, 2 USC § 1311 (see EXHIBIT D): <http://uscode.house.gov/view.xhtml?req=Civil+Rights++Act++of++1964&f=treesort&fq=true&num=2&hl=true&edition=prelim&granuleId=USC-prelim-title2-section1311> by select members of Mid. to Sr. level management in the Assistive and Rehabilitative Services division of DARS.
- Persons with disabilities have been and are being subject to neglect as described by Title II d. 48(a) § 48.002 of the Texas Department of Family and Protective Services Human Resources Code (see EXHIBIT E): <http://www.statutes.legis.state.tx.us/Docs/HR/htm/HR.48.htm> by select members of Mid. to Sr. level management in the Assistive and Rehabilitative Services division of DARS and by DARS collectively.
- **Gross** negligence and oversight has occurred by the Sr. leadership of DARS and by the Sunset Commissions failure to accurately report the **entire** scope of the issues that DARS is encountering, particularly regarding internal management dysfunction and corruption.

While I do not have to stress to the Commission the importance that ethical behavior has in our agencies and within our state, I will say that by addressing the above issues with all of you, I have made every possible attempt to uphold those ethical and legal standards by addressing them to Sr. Management of the DARS Assistive and Rehabilitative Services division. I have thus come before you Chair members of the Sunset Commission via this statement for effective resolution. I trust that the Commission will launch a complete investigation into this matter and hold those individuals within DARS fully accountable.

From a professional perspective I will say this. Never before in my years of working with state agencies have I seen such a blatant disregard for best practices and ethics when providing services to Texans with disabilities. As you have seen above, the behavior demonstrated by internal DARS management has not reflected the DARS mission nor does it reflect the well-regarded reputation that Texas state service providers have been known for. Additionally, as a Project Manager, I am deeply disturbed by the quality of project reporting performed by said Project Managers on the Commission's staff. Clearly, given that all of the issues were not addressed, I suspect very highly that these reporting projects became derailed and that the deliverables were not met, provided that there was any credible project management methodology implemented. As such, I find the above events professionally insulting, not only to the consumers who

have had to bear the difficulty of this, but to Texans as a whole.

Personally, I am disheartened that a group of professional agency managers feels the need to behave in this manner. Quite frankly, I am not concerned or impressed with how much wealth anyone has, how lofty their Sr. level title carries weight at DARS, nor am I concerned with who drives the most extravagant sports car there. I am, however, concerned with working together and helping each other as Texans achieve great things for people with disabilities. It is my hope that one day DARS will embrace the concept of equality and respect for all regardless of wealth, status or educational / certification acronym.

In closing, I wish to again say thank you for your time in hearing my concerns and in addressing these issues. I sincerely hope that the Commission will take a proactive approach in doing the right thing to effectively resolve this problem so that DARS can move forward in a positive and productive manner. I look forward to collaborating with each of you in the days to come.

Truly yours,

Bonni

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