

Joseph Muniz

June 30, 2014

Texas Sunset Advisory Commission  
P.O. Box 13066  
Austin, Texas 78711

Dear Texas Sunset Advisory Commission:

I am writing in reference to the Sunset Advisory Commission Staff Report on the Department of Assistive and Rehabilitative Services dated June 2014.

I am deaf-blind Texan and a grateful former recipient of services from the Texas Commission for the Blind, the legacy agency merged into the Department of Assistive and Rehabilitative Services (DARS) and now known as the Division for Blind Services. These services helped me to begin a professional career in municipal government that spans two decades now.

I have over 18 years of public service to the State of Texas having served on the State Independent Living Council (SILC), Texas Commission for the Blind Governing Board and the DARS Advisory Council. I am currently serving as President of the Governing Board of the Texas School for the Blind and Visually Impaired.

The comments in this letter are my own and are not on behalf of any of the above Councils or agencies.

The staff report begins with a summary that mentions that prior audits have identified poor management and financial controls at DARS. I acknowledge these findings and am greatly concerned by them. The summary continues and recognizes that the current agency leadership "has begun to make many changes to correct past problems and move the agency in the right direction." (Staff Report on DARS, page 1) I believe that in its final recommendation to the Legislature, the Sunset Advisory Commission should advise that HHSC and DARS be given time to further implement these changes.

I listened to the Sunset Commission's public hearing of June 24, 2014. There were members of the commission who expressed their view that DARS has not met legislative intent set 11 years ago. I can understand the frustration behind that observation, but it is risky to act out of frustration. While specific agency or program concerns were raised by the Commission members, I heard only positive comments about Executive Commissioner Veronda Durden's leadership. I believe the Commission should recommend what HHSC Commissioner Janek and DARS Commissioner Durden are asking for – legislative guidance rather than prescriptive measures. This approach will minimize one of the greatest regrets a governing entity can share – unintended consequences.

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I'll now address the issues and staff recommendations in the staff report.

**Issue 1 – Separation between DARS Divisions for Blind Services and Rehabilitation Services Causes Unnecessary Duplication and Impedes Access to Services.**

I agree with Sunset Commission staff regarding colocation of DBS and DRS services in single rather than multiple offices in the same community. I certainly agree that unnecessary duplication should be eliminated. Consolidation of offices can certainly make some administrative functions redundant. Such office consolidation should not impact caseworkers. I strongly believe that services for the blind and visually impaired and specialized caseworkers are not unnecessary or a duplication of other services managed by DARS. I support staff recommendation to eliminate non-specialized duplicated administrative functions. There is a need to ensure that mid-level and senior supervisors, managers and executives are qualified and experienced in delivery of services to the blind and visually impaired. The same is needed for effective leadership in the delivery of general rehabilitation services. I am pleased and reassured that members of the Sunset Commission expressed their understanding of this point at the June 24<sup>th</sup> public hearing.

**Issue 2 – DARS Lacks Case Oversight to Control Spending and Ensure Effective Delivery of Services.**

I agree with staff recommendations.

**Issue 3 – DARS Offers many Independent Living Services Consumers Could Easily Access Through Local Centers for Independent Living**

Where Centers for Independent Living (CILs) exist, they provide very needed services to disabled Texans. I believe the CIL network should receive substantial increases in state funding to support their operations and services. This should be done in the form of new state funding.

I do support the premise of the staff recommendation that DARS oversee the CIL network and manage the disbursement of funds through effective contracts. To do this effectively, it is imperative that DARS receive clear guidance and authority from the Legislature to carry out the desired vision for a statewide CIL network. I believe DARS should receive the resources such an undertaking will require to do effectively.

I think it will be a mistake to eliminate the independent living services provided directly by DARS. There is considerable experience and institutional knowledge that should be retained in DARS. The staff recommendation envisions DARS serving as a resource and monitor for the statewide CIL network. Retaining the current IL infrastructure at DARS will make that possible.

DARS currently provides IL services statewide, including home visits. CILs generally do not provide equivalent in home services and are limited by their resources to providing services in focused geographic areas. There are areas of the State without a CIL presence. It is a long cherished desire that Texas have a CIL network that has a presence in many more communities than it does currently – it is just not there at this point. It can be with new state funding I propose above.

**Issue 4 – DARS Unfocused Approach to Employer Relations and Transition Services Hinders Its Ability to Increase Consumers' Job Opportunities**

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I agree with the staff recommendations.

Issue 5 – DARS Lacks Mechanisms for Effectively Integrating, Directing, and Overseeing Its Programs.

I agree in general with staff observations and recommendations.

I do believe that integration or merging of key functions has taken place. The vision of a monolithic agency with completely merged (non-specialized) services was not a realistic one. I feel comfortable in my belief that there was no original legislative intent to decrease service quality to disabled Texans. A desire for an agency with one-stop locations that provides effective time-limited rehabilitation services is quite reasonable. It is possible to do this. Maintaining specialized caseworkers is a key requirement for the success of this vision.

Issue 6 – Texas Has a Continuing Need for DARS' Services, but Decisions on its Structure Await Sunset's Analysis of the Health and Human Services System Overall.

I agree with Sunset staff's conclusion that DARS' services are needed. I need to review the forthcoming Sunset Commission's analysis of the HHSC System before I can provide an opinion on that analysis and recommendations.

Additional Issue – Autism Services provided by DARS.

I believe that the Legislature and the Governor's Office should come to agreement if autism services should be provided by DARS, HHSC in general, or the Texas Education Agency. (Or any other placement as might be agreed to.) I believe whatever agency is chosen as the provider of autism services, it is time for a formal "Office of Autism Services" to be created and funded.

I value the work of the Sunset Advisory Commission and its staff. I appreciate the opportunity to provide these comments and suggestions.

Respectfully,



Joseph Muniz

# FAX

TO: Ken Levine, Director

FROM: Joseph Muniz

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SUBJECT: Public Comment - DARS

DATE: June 30, 2014

COMMENTS:

Attached please find my comments on the Sunset Commission's Review of the Department of Assistive and Rehabilitative Services.

Best regards,  
Joseph Muniz

A handwritten signature in black ink, appearing to read "Joseph Muniz", written in a cursive style.