



TRAN

TEXAS REHABACTION NETWORK (TRAN) RESPONSE TO SUNSET STAFF RECOMMENDATIONS REGARDING HEALTH AND HUMAN SERVICES COMMISSION

October 15, 2014

Dear Senator and Chair Jane Nelson, and Representative and Vice Chair Four Price; and, other Sunset Advisory Commission Members – Senators Brian Birdwell, Juan Hinojosa, Dan Patrick, Charles Schwertner, Dawn Buckingham; and, Representatives Cindy Burkett, Harold V. Dutton, Jr., Larry Gonzales, Richard Raymond, Tom Luce:

Founded in 1995, TRAN is a non-profit organization whose mission is to advance the Public Vocational Rehabilitation (PVR) System in the State of Texas. Our membership, a coalition of almost 800 professionals in public and private rehabilitation, business and education, and other fields, as well as former and current consumers, appreciates the opportunity to comment on the Sunset Staff Report “Health and Human Services Commission and System Issues.”

Our comments come from an organization of professionals who specialize in not only serving people with disabilities, but assisting them in becoming gainfully employed in careers and vocations that are consistent with their values, interests and capabilities. Four of the report’s 15 “Issues and Recommendations” (1, 2, 7 and 12) directly affect the Department of Assistive and Rehabilitative Services, which currently administrates the Public Vocational Rehabilitation system in Texas. TRAN is fervently opposed to Issue 1 and in agreement with Issues 2, 7 and 12.

Issue 1

TRAN opposes this issue as written: While we agree with the report’s overall goal, characterized by the statement “The problem is not with the concept of consolidation,” we strongly disagree with the method the report proposes to achieve that goal. We cannot agree with the recommendation to dismantle a highly successful VR program that is envied throughout the nation for its ability to serve and employ people with disabilities. If enacted, this dismantling would place current consumers at risk, fail to effectively and efficiently serve future consumers, and put Texas at risk of losing future federal funding due to non-compliance with federal grant requirements. To resolve this issue, TRAN recommends creating a separate division within HHSC: Vocational Rehabilitation & Employment Endeavors

“Advancing Public Vocational Rehabilitation”

1. DARS has a myriad of federal requirements with which it has to comply to ensure continued federal funding. Regarding the two major areas addressed in the report – organization and eligibility – every state VR program which hopes to continue to receive federal funds must organize itself around a federally-defined structure, and must follow precise federal policy and procedures in determining the eligibility of its consumers. This recommended wholesale blending of VR functions with other HHS programs will place HHSC and Texas at risk of losing federal funding under the Workforce Innovation and Opportunity Act.
2. DARS' current service to its consumers and citizens is so effective and efficient that for an investment of \$1 of tax payer funds, \$9 is returned as a result of people with disabilities becoming tax payers themselves, or reducing or eliminating their reliance on public services, most of which are provided by other HHS agencies.
3. Given the evidence we have from other states that have gone down the wrong road in dismantling their successful VR programs and federal partnerships for the sake of consolidation, TRAN believes it is highly unlikely that Texas can be successful in implementing this consolidation while at the same time maintaining a VR program as effective and efficient as the one it currently has.

In addition to these risks, TRAN believes that the Sunset Staff is missing an opportunity to fully “envision a new system in which consolidated functions would save money and improve services by eliminating fragmentation” as stated in their report. We are surprised that employment, as an outcome or even a service, is not given more prominence in the Report. As professionals in the field of employment for people with disabilities and other health conditions, we understand the positive impact suitable careers and vocations can have on that population, as well as on all citizens, not to mention the overall positive economic impact they can have on our state and nation. We also understand “fragmentation.” There are few services as fragmented as employment services, not just in Texas, but throughout the nation. We agree with the Sunset Report that the time is right for a number of important changes at HHSC, but are disappointed that employment for people with disabilities, as well as all other HHSC consumers, was not given the attention it deserves.

TRAN believes, therefore, that there is an opportunity for the Sunset Commission to amend the Sunset Staff's recommendation, adding the following division which would be devoted entirely to employing people with disabilities, and more effectively assisting in employment for all HHSC consumers, regardless of disability or health condition.

VOCATIONAL REHABILITATION & EMPLOYMENT ENDEAVORS

1. **Assistive and Rehabilitative Services**: consisting of the two vocational rehabilitation divisions currently under DARS and their strong network of partnerships with businesses, the National Employment Team, Texas Workforce

Commission, and countless stakeholder, consumer and private employment organizations, just to name a few.

- 2. Any and All Other Employment-Related Services for HHSC Consumers:** consisting of the various “employment services” found in other HHSC entities. DARS personnel are experts in the field of employment, not just helping people be employed, but helping them pursue and begin a career, and develop a true vocation. There is no question that helping people with disabilities with employment is more difficult than helping the general population; DARS staff has the knowledge, skills and abilities to do both, and to do both better than any other entity.

Virtually every current HHS department claims to have an employment program. Upon close scrutiny, however, all but two of those programs consist of simply information and referral to either DARS or TWC, which provide the actual services. Some agencies even require their consumers to follow through with obtaining and maintaining employment in order to continue to receive services they provide, but don't directly assist those consumers in actually achieving that employment (Health and Human Services Commission providing TANF and SNAP, for example).

Besides DARS, the only other HHS agency the report even mentions as having an employment program is the Department of Aging and Disability Services, which in reality provides only supported employment to only its consumers, not remotely similar (as indicated in the Report) to the truly substantial vocational program DARS has provided eligible Texans for decades. The only state agencies that do provide substantial employment services for their and others' consumers are DARS and TWC, DARS being the only agency that does so within HHS.

TRAN believes that because DARS has the federally-required qualified personnel, which understand and specialize in disabilities and other health/medical conditions that negatively affect employment, and have the skills and resources to help these populations obtain and maintain that employment, that it should head a separate HHSC division responsible for all HHSC consumers' vocational pursuits and outcomes. Not only would the consumers benefit from DARS' expertise and efforts, but HHSC and the State's economy would as well. Texas has this opportunity to have all of HHSC benefit from DARS' excellent Return on Investment.

Furthermore and finally, TRAN agrees with the “No Wrong Door” philosophy recently espoused by many, including DARS. We also understand, however, that this will be a difficult goal to achieve, given the extremely complex society in which we live. Creating an HHSC division which substantially addresses the employment needs of all its consumers would truly bring HHSC closer to achieving that goal without placing people with disabilities and state funding at risk.