**SRC-DVR & SRC-DBVI**

**Emergency Meeting Minutes**

**Jan 15, 2019**

**SRC-DVR Members** **Present**: Cheryl Peabody, SILC Rep; Kathy Despres, CAP Advocate; Dan Vigue, Goodwill Industries; Chris Higgins, Walgreens; Riley Albair, DRM; Sue Primiano, DVR Regional Manager; Libby Stone-Sterling, DVR Director; J. Richardson Collins, Disability Advocate; Mary Adley, DOE

**SRC-DBVI Members Present**: Jenn Ardito, CAP Advocate; Brenda Drummond, DBVI Director

**SRC-DVR Members On Phone**: Ann Long, MPF

**SRC-DBVI Members on Phone**: James Howard, DBVI VRC; Sue Fairfield, MPF; Mary Beth Walsh, Mainely Access; Sherry Belka, Disability Advocate; Nancy Moulton, CCME

**Members of the Public Present**: Peter Diplock, DBVI Assistant Director; Veronica Swain, SRC Admin Assistant; Rachel Dyer, Maine Developmental Disabilities Council; Marty Allen, Maine Job Trust; Adam Way, Empowers Employment Options; Kristen Freeman, John F. Murphy Homes; Jess Arsenal; Sarah Petno, Work Opportunities Unlimited; Rick Jones, Minuteman Consulting; Dennis Strout, Momentum; Amy Kirkpatrick, Capital Clubhouse; Lisa Soucie, High Hopes Clubhouse; Peaches Bass, DOL; Kelly Osbourne, Goodwill; Susan Bradley-Dryer, Customized Employment Solutions; Scott Simonds, Career Journeys; Karen Fraser, BRS Director

**Members of Public on Phone**: Roger Fuller; Walter Woitasek; Rebecca Boswell, Depart. of Vocational Services Maine Med; Heather Scott, Goodwill; Gentleman from Work Opportunities Unlimited; Fran Kelly, Iris Network; Pauline Lamontagne; Lucinda Clarke; Lydia Dawson; Pam Foster; Gentleman from Sunrise Opportunities; Gentleman from Maine VR Associates; Laurie Crane-Turton, John F. Murphy Homes; Chad Marshall, Pine Tree Society; Shelley Zielinski, Pine Tree Society; Vickie Morton, Hope Association; Will Brilliant; Mike Murtha, Work Opportunities Unlimited; Ryan Mountain, Work Opportunities Unlimited; Jen Kimball, Maine Medical Center; Andrew Cowan, John F. Murphy Homes

**Welcome & Introductions:** Meeting began at 2:01 pm. All SRC members and affiliates in attendance introduced themselves, followed by all members of the public in attendance. Kathy Despres provided a brief summary of what caused the SRCs to call an emergency meeting. After the latest news on the RFP for CRPs was released, CAP received many concerned phone calls about the RFP. In the past few weeks, CAP has communicated with sixteen providers, one case manager, and two clients. Kathy believes CAP has heard directly from about one-fourth of all Maine CRPs. This large amount of feedback triggered Executive Committee meetings for both SRCs. The committees decided that an emergency meeting needed to be held to allow CRPs and other members of the public to present their concerns to the two councils and to allow the SRCs to decide if action on their part should be taken. A list of concerns related to the RFP was previously emailed to SRC members and distributed to those in attendance before the meeting began. Riley Albair suggested that it would be helpful to discuss the concerns in the order they are presented on the list. It is decided that SRC members will voice their comments first; after SRC members comment, the floor will be opened to the members of the public. The SRCs made a plan to come to a decision on how they will respond to the concerns during the last fifteen minutes of this meeting.

**Discussions on RFP Concerns:**

**Informed Consumer Choice**: Federal Regulation 361.52 requires clients to have informed choice of CRPs. The RFP may jeopardize informed consumer choice by implementing a limited number of providers. Riley noted that in reading the RFP and the questions and answers posted on the DOL website, she learned that bidders for the RFP will be responsible for developing a plan to ensure consumer choice. Riley voiced her concerned that this explanation does not provide enough information on how such a plan might be developed, or what such a plan would entail. Mary Adley agreed, and noted that she wonders how informed choice will be measured and what standards or rubric will be applied to determine informed choice. J. Richardson Collins echoed this concern. Dan Vigue noted that informed consumer choice is currently compromised in underserved areas. Dan noted that he serves on other boards that have discussed ways to possibly cover underserved areas for many years. Dan is unsure if the RFP will cause the issue to improve or worsen. Dan asked what action will be taken to ensure coverage and help retain CRPs if the current RFP is halted. Riley agreed that Maine is currently in a position where scarcity causes loss of informed consumer choice, and noted that she is unsure what the possible repercussions of creating a system that permanently and structurally offers less choice overall are. Scott Simon of Career Journeys explained that he is worried about the potential loss of unique cultural approaches among small CRPs if one monolithic agency is overseeing all CRPs. He believes this will effectively remove client choice. An unidentified gentleman on the phone voiced his opinion that this RFP seeks to remove client choice. He believes the RFP could result in less personalized choice, as well as sacrifice one-to-one contacts that have been developed. He also registered his belief that the State did not meet the guidelines for proper posting of the RFP; he believes it should have been posted in multiple newspapers and for a longer time period. Kathy noted that the SRC will look into this issue, and reminded attendees that, as the current discussion is based around addressing issues off a list, ideally all comments should relate to the current topic. Adam Way noted that the State did meet the minimum requirement for posting the RFP; the minimum requirement consists of three consecutive days of publication in the *Kennebec Journal*. Adam advised the gentleman on the phone to confirm this information with an authority. Adam then noted that he believes offering consumers a singular CRP does not comply with the regulations that intend for clients to have a choice of providers. Marty Allen asked if Maine is currently in compliance with the informed choice regulation (361.52). Kathy answered by noting that currently some clients are not afforded choice, and some clients have no coverage at all. Kathy stated that she believes the RFP is intended to fix this problem, but questioned whether or not the RFP would do so. Jess Arsenault noted that she does not believe it would be possible for any CRP to contractually agree to provide multiple service options to extremely isolated rural areas, despite how well a proposal may be worded. Scott Simon commented that large organizations may not attract the same kind of staff as a number of smaller CRPs would; he believes this could compromise talent by trading numbers for quality.

**Public & SRC Input for Substantive Change:** Some CRPs and SRC members are concerned that DVR and DBVI did not hold public hearings on this change (see Federal Regulations 361.20). Regulations dictate that public comment is supposed to occur with any substantial change to the service provider or delivery of service. While the SRCs believe this RFP represents a substantial change, DBVI and DVR do not believe the RFP represents a substantial change and therefore did not hold public hearings on the RFP. Kathy asked present SRC members if they felt that the SRCs had input on the RFP process. Riley noted that SRC-DVR held many conversations about the issues with CRPs and lack of coverage, but asserted that the SRC did not provide input on the RFP. Mary agreed with Riley’s assertion. Dan, speaking as both a CRP and SRC member, noted that while CRPs outside VR have communicated with VR about the need for change, CRP input regarding the RFP was not sought out. J. stated that he believed that the last time SRC-DVR met, members were told that the SRC would receive more specific information before the RFP was posted and would have more opportunity for input. Mary noted that the SRC-DVR December meeting cancellation due to weather may have affected this. Overall, SRC-DVR members do not believe they provided or were asked for input in the RFP process. Cheryl Peabody, chair of both SRC-DVR and SRC-DBVI, noted that she believes there is a difference between DVR and DBVI when it comes to CRPs. She asked for comments from SRC-DBVI members on whether they felt they had input in the RFP process. Jenn Ardito noted that she does not believe that SRC-DBVI provided input for the creation of the RFP.

Dan commented that the last major change for CRPs was VR’s Milestone Payments, and asked if the SRCs were involved with the Milestone Payments process. Jenn responded in the affirmative. Libby briefly explained the process of moving away from Milestone Payments to a Fee-for-Service model. In 2014 VR implemented Milestone Payment; by the second full year of Milestones, 2015, VR did not see the progress they had hoped for. As a result, VR brought together the CRP Steering Group, and in 2016-2017, VR moved to Fee-for-Service. Libby noted that the RFP and the Milestone Payment process are not comparable issues. There was no Steering Group for the RFP, and there was no RFP for Milestone Payments.

Kathy noted that it appears there should be a change to the State Plan to compensate for the RFP. There should be a conversation around SRC input on that change if it does occur, as the SRCs are also charged with providing input to changes in the State Plan. Kathy reiterated that the regulations dictate that there should have been a public comment period for the RFP. The SRCs and CRPs should have provided input.

Kathy asked the CRPs in the room if they felt like they provided or were asked for input on the RFP. Kathy specified that when VR sent an email in June 2018 about putting out an RFP, the State had to stop conversing about it. In light of this clarification, Kathy rephrased her original question, asking if any CRP felt like they had their voice heard or opinion sought out before June 2018. Scott Simon answered in the negative. Adam Way noted that the email was sent out on June 19th, 2018. He believes that, prior to this email, there was no real conversation about addressing the service/delivery deficit. He explained that some committees were created to implement Milestones, and those committees were reconvened to discuss whether the Milestone Payments were working. Adam noted that he felt like those meetings were for show; it did not seem to him that CRP voices were heard. Adam emphasized that he did not feel like CRPs were represented or part of the conversation. Kathy asked if any attendee felt like they had input in how services would be delivered. It was determined that no CRP in attendance felt they provided significant input on the RFP. Adam stated that he knows there is a problem with CRP services; his organization is the only provider in some regions. He noted that he personally would not have addressed the service/delivery deficit by disenfranchising the people who are currently working with the clients. Adam stated that the lack of coverage is due to a need for more people working in CRP services, not less. Adam also noted that he believes the vendors who supply services have a lot of knowledge around the issues and could have provided valuable input. An unidentified lady on the phone voiced her agreement, stating that the huge pool of CRPs doing this work are the ones who truly understand the issues that are going on. Susan Bradley-Dryer stated that she thinks it would have been of benefit if CRPs were asked to jointly come up with solutions to address the service deficit. Susan stated that she believes small providers have more personalized service and flexibility and can assume job coaching fairly quickly and provide long-term support. She noted that if individuals have a problem with one provider, there’s no alternative for a client under this RFP. Rick Jones agreed with Adam and Susan, noting that the expertise of CRPs would have been beneficial but was not sought out. Susan commented that if the system outlined in the RFP does not work, and VR has the need to add more providers after a period of time, all the small CRPs will be gone. Jess Arsenault raised the issue of the potential damage that has been done to CRPs since June 2018. She noted that CRPs are in a holding pattern when it comes to staffing and hiring, and that an increasing number of CRPs are shutting their business down because of the lack of information on future prospects.

**Other RFP Concerns**: The next set of concerns addressed in the meeting are reflective of all other issues raised by CRPs, case managers, and consumers. These other concerns were recorded on the document distributed to meeting attendees as follows:

* Cost of submitting the proposal ($5,000) is prohibitive for many providers, especially the smaller providers.
* Turnaround time for submitting a proposal is not adequate for small providers to collaborate and submit a competitive proposal.
* The time and cost for the implementation of the required computer software is prohibitive.
* Perception that DVR/DBVI is attempting to put smaller agencies out of business.
* Disruption to consumers who have a long-standing relationship with current providers will be cut off with no choice. Strips clients of the relationships that have been built between the client and provider.
* A worry that larger providers from out of state with no connection or knowledge of Maine’s local communities will be awarded.
* Recurring changes to the CRP system over the last ten years have created fiscal instability among the CRP’s, resulting in CRP’s exiting the BRS system. This is yet another change.
* With the risk of losing more providers, the ID/DD community could be disproportionally impacted with reduced access to supports needed.
* The geographic areas outlined in the RFP are unrealistic for any one entity to serve.

**Long-term Supports & Transition Concerns**: Riley raised the issue of VR clients who transition to long-term supports funded through Mainecare. Riley noted that it is currently possible for clients to transition from services funded by VR to Mainecare-funded long-term supports without necessarily changing the CRP they work with. Riley explained that the RFP would change this and necessitate a hard change for clients who make that transition. Almost all CRPs in the room are currently able to provide long-term supports under Mainecare Section 21 and Section 29. Out of all the CRPs who currently provide long-term supports in the room, a little less than half of them claimed they would continue to do so if the RFP went out and their agency did not get the contract. Jess noted that Section 21 and 29 waiver support is not how most CRPs sustain their business; other CRPs in the room agree that this is a supplement to business rather than a primary earner. Adam Way noted that his organization could probably get by with long-term supports and career planning, but the continuity of services would be very difficult. Scott Simon explained that his organization, Career Journeys, focuses on supporting individuals who will work up to be independent with natural supports. Scott stated that he believes large organizations have a strength in their ability to staff and support continuous coaching, but lack the flexibility that the small agencies have. Scott believes there should be a balance and working relationship between small and large CRPs; he suggested a block grant to support the larger CRPs as one possible solution. Susan raised the issue of CRPs who support long-term clients through multiple jobs, stating that she believes VR should aim to minimize transitions for clients. Jess noted that even in populated areas, people are desperate for long-term job support. Jess stated that the possibility of losing any more providers willing to do long-term supports due to the RFP is very concerning. She believes that the lack of coverage is not reflective of an unwillingness on the part of CRPs, but is instead due to the difficulty of staffing long-term supports. Jess also voiced her concern on the difficult transitions clients face when they have to constantly change long-term supporters. Dan noted that he does not believe Mainecare is intended to be a one-to-one service; he believes the intention is for CRPs to reduce supports over time. Dan also stated that he considers Goodwill to be very flexible, despite being a large provider.

**Clubhouse and the RFP**: Lisa Soucie of High Hopes Clubhouse informed the group that Maine is looked to as a model for Clubhouses due to their successful outcomes. Out of 335 Clubhouses, High Hopes is one of the top ten Clubhouses in the world. Lisa attributes the success of Maine Clubhouses to their great relationship with VR, their ability to provide long-term supports, and their collaboration with other agencies/organizations around job development and coaching. Lisa noted that any organization has areas of specialization; Clubhouse specializes in providing services to clients with major mental illness. Lisa is concerned about what might happen if the only available CRP does not specialize in providing for mental illness supports. Lisa also noted that under their Mainecare contract, Section 65 services, Clubhouse must adhere to Clubhouse International standards which dictate that each Clubhouse must provide job coaching and development, job supports, supported transitional independent employment, and long-term support to their members. The Clubhouses must satisfy these standards in order to be accredited and continue providing services. Lisa believes the RFP could harm the Maine Clubhouses, and she noted that Clubhouse did not have an opportunity to provide input on the RFP process. Clubhouse did have the chance to present to the SRC-DVR in 2018, but did not provide input on the RFP. Lisa stated that there are around 1,000 Clubhouse members in Maine, noting that a large number of people would be affected by this RFP.

For the sake of clarity, Kathy explained to the group that the SRCs are separate entities that exist apart from the Bureau of Rehab Services. Libby added that neither she nor Brenda represent the Bureau, but represent DVR and DBVI respectively.

**Final CRP Comments**: Kathy asked for CRPs to explain what their wishes are in regard to the RFP. Scott Simon noted that he would like small independent CRPs to be treated separately from the RFP and allowed to continue as is, and for the Bureau to work with the small CRPs individually and put together a budget for them. Lisa Soucie noted that she wishes, for the sake of the Clubhouses, that the RFP would be abandoned. Adam Way also voiced his desire for the RFP to be abandoned. He believes there should be a collaboration between all the parties to fix the coverage issue. Adam noted that he believes all currently operating agencies should be celebrated and supported rather than legislated out of existence. Susan agreed with Adam, and reiterated that if CRPs had input, they might be able to come up with solutions to the coverage problems. Marty Allen voiced his desire for a stable financial model going forward. He explained the difficulty CRPs face in making decisions when they are not sure of the future. Kristen Freeman noted that CRPs need more staff. Kristen also stated that she understands the frustration on both ends, because she has been to provider fairs where the organization she works for is the only CRP represented. Jess Arsenault reiterated that CRP input is lacking, and stated that she wishes for better communication between VR and CRPs about the issues. She also wishes that CRPs would not be regulated out of business. A gentleman from the Vocational Associates of Maine noted that it is not economically viable for his organization to participate in the process laid out by the RFP. He explained that the Vocational Associates of Maine, located in region four, is a fairly large provider, and noted that the larger providers are overall not able to sustain their business plans in regions four and five. He stated that he would like to see the delivery of CRP services examined, rather than the procurement of CRP services. He would like more support for CRPs. A gentleman from Sunrise Opportunities stated that he believes the RFP will fail because no CRP will bid to serve regions four and five. He would like DVR to listen to what CRPs have to say about the issues. Kelly Osbourne noted that she does not think there is ill intent behind the RFP. Kelly stated that she hopes that the RFP challenges everyone to think differently. She noted that the RFP will hurt providers, including Goodwill, but also reiterated that something must be done to serve underserved populations and fix the coverage shortage. Kristen Freeman voiced her agreement with Kelly.

**SRCs Plan of Action**: Kathy asked how the SRCs want to proceed. Kathy voiced her concern that consumers were not asked in a public way about how they want CRP services delivered. Chris noted that he believes the SRCs’ role could be to find a middle ground between capitalism and regulation in regards to CRP delivery and procurement. J. asked for clarification on the potential options from which the SRCs can choose a next step; Kathy noted that the the SRCs can write letters to place the comments on public record, or form a separate committee to discuss the issue. An agreement is reached that the SRCs will author a letter detailing SRC and consumer concerns.

**Comments from DVR and DBVI Directors**: Brenda commented by stating that DBVI always has the consumer in mind. Libby noted that the RFP process has been extended out a week due to concerns voiced at the Bidders conference. Libby also advised attendees to review the questions and answers posted on the DOL website, noting that they might find answers to many of their concerns. The official question period ends today, January 15th, at 4 pm. All questions and answers will be posted by January 22nd. Libby explained that the RFP is an effort that is a culmination of many years of discussions. Libby noted that since she has come on as DVR Director, she has heard dissatisfaction with the current CRP process expressed by every constituency. Dan asked if there are any states who have the same model proposed by this RFP. Libby answered by noting that there are many different models, and stated that the current model Maine has is very unusual. Most states do not have a model that incorporates such a large number of CRPs.

**Closing SRC Comments**: Kathy announced that business regarding the RFP concerns will be carried on via email. Cheryl asked attendees to email any comments or questions to srcscribe@gmail.com. All comments must be in by tomorrow, January 16th, at 5 pm. Cheryl will compile the feedback into a letter and send it out for approval by Thursday, Jan 17th. Kathy clarified that the SRCs are not involved in the RFP process, but are hearing and making note of concerns about the RFP. The SRCs will author a letter to place on public record the SRCs thoughts and concerns in response to the RFP process. As of this meeting, it is not yet decided to whom the letter will be addressed.

**Meeting ended at 3:34**