

Sunset Public Hearing Questions for
ADVISORY BOARD FOR REHABILITATION CENTERS
Created by Section 49-11-704, *Tennessee Code Annotated*
(Sunset Termination June 2016)

1. Provide a brief introduction to the Advisory Board for Rehabilitation Centers, including information about its purpose, statutory duties, staff and administrative attachment.

Answer:

The Advisory Board for Rehabilitation Centers was created under T.C.A. § 49-11-407 to coordinate the activities of the rehabilitation centers and to advise the Commissioner of Human Services and to better acquaint the public with the needs and activities of the program. Further, it is the duty of the advisory board to consider and advise the commissioner and the division on broad problems and policies, to review periodically the progress of the rehabilitation center program, and to help maintain coordination between the program and the related programs of the organizations and agencies represented on the board. To fulfill these duties, the Board advises the Division of Rehabilitation Services of the Department of Human Services on policy issues; reviews monthly and annual reports; assists the division in evaluating the centers policies and procedures; assists the division in program development; assists in maintaining program coordination between the services provided by the centers and outside agencies; assists the division in the development of the public relations programs. The Board also offers assistance to the division by periodically reviewing the bylaws and governing policies for the Rehabilitation Centers. The Board also makes visits to the centers and notes any hazardous conditions in the physical environmental facilities.

2. Provide a list of current members of the board and explain how membership complies with Section 49-11-704, *Tennessee Code Annotated*. Are there any vacancies on the board and, if so, what is being done to fill those vacancies?

Answer:

Under T.C.A. § 49-11-704, the Board shall be composed of

(1) ex officio member from each of the following departments and agencies of state government:

- (A) The department of mental health and substance abuse services;**
- (B) The department of labor and workforce development;**
- (C) The department of human services;**

(D) The division of vocational rehabilitation of the department of human services;

(E) The department of education;

(F) The Tennessee committee on employment of persons with disabilities; and

(G) The department of intellectual and developmental disabilities; and

(2) The remaining nine (9) members shall be appointed by the commissioner from among private organizations and agencies concerned with persons with disabilities, to serve for staggered terms of four (4) years each. In appointing the nine (9) remaining members to the board, to the extent possible, the assistant commissioner shall appoint the board's members to ensure appropriate representation on the board based upon gender and ethnicity.

The table below shows the current membership of the board with columns denoting whether they are an ex officio member from one of the required agencies or if they are a member from a private group

TENNESSEE REHABILITATION CENTER				
STATE ADVISORY BOARD ROSTER				
VACANT, Community TRC Director				
(This position was created by the Department in 2012. It is not a required part of the Advisory Board.)				
Bethany Patton, ASA2				
731-584-2147				
Email: Bethany.Patton@tn.gov				
<u>Name</u>	<u>Term Dates</u>	<u>Demographic Information</u>	<u>Ex Officio Member</u>	<u>Private Organization</u>
Edward Brunswick, Vice Chair	Term: Second	White		Business: Electronic Instructor and IT Administrator, Newbern, TN
	11/01/08-10/31/2012	Male		
	11/01/12 - 10/31/2016			
	West TN Representative			
	Obion County			

Christine Hopkins	Term: First full term	White		Business: Director, Franklin County Re-entry Program
	11/01/14-10/31/2016	Female		
	Middle TN Representative			
	Franklin County			
Carl Brown, Jr.	Term: Second	White		Business: Retired Asst. Commissioner, Division of Rehabilitation Services
	11/01/07-10/31/2011	Male		
	11/01/11-10/31/2015			
	Middle TN Representative			
	Williamson County			
Juan Chirigliano	Term: Second	Hispanic		Business: ESL Instructor with Bedford County School System
	11/01/08-10/31/2012	Male		
	11/01/12-10/31/2016			
	Middle TN Representative			
	Bedford County			

Stephanie Cowherd,	Term: Second	White		Business: DRS Corporate Connections
	11/01/10-10/31/2014	Female		
	11/01/14-10/31/2018			
	East TN Representative			
	Anderson County			
Tyles Davenport	Term: Second	Black		Business: Retired Principal of Dyersburg Middle School
	11/01/07-10/31/2011	Male		
	11/01/11-10/31/2015			
	West TN Representative			
	Dyer County			
VACANT	08-14 - N/A		Ex Officio	
			Department of Education	
Frank Huscroft	Term: second	White		Business: Retired Regional Supervisor, DRS, 1966-2006
	11/01/10-10/31/2014	Male		
	11/01/14-10/31/2018			
	East TN Representative			
	Washington County			
VACANT	N/A		Ex-Officio	
			Department of Human Services	
VACANT	2012- N/A		Ex-Officio	

			TN Dept. of Mental Health and Substance	
Cherrell Campbell- Street	2011	Black	Ex-officio	
		Female	Division of Rehabilitation Services	
			Agency Representative	
			Davidson County	
Sarah Tune	Term: First	White		
	11/01/11- 10/31/2015	Female		
	West TN Representative			
	Shelby County			
Thomas Wilson, Chairman	11/03 - N/A	Black	Ex Officio	
	Davidson County	Male	TN Department of Labor and Workforce Development	
			Occupational Safety Specialist	

Amy Gonzalez	11/13-N/A	Hispanic	Ex Officio	
	Davidson County	Female	Department of Intellectual and Developmental Disabilities	
Mary Little	Term: First	White		Business: Coordinator of Disability Services, Walters State Community College - Morristown
	11/01/12-10/31/2016	Female		
	East TN Representative			
	Greene County			
David Holmes	Term: First			Business: Retired Superintendent for TRC Smyrna
	08/02/12-10/31/2015			
	(original term - 11/1/11-10/31/2015)			

The Board's current vacancies represent ex officio members from the departments named in the statute. These ex officio members must be

appointed by the head of their department. Each of these departments have been contacted regarding placement on the Board but, as of yet, the seats have not been filled.

3. Does the board's membership include public/citizen members? Female members? Members of racial minorities? Members who are 60 years of age or older?

Answer:

Yes, the Board's membership does include both public and citizen members. Under the statute, the board consists of seven members from various state agencies and nine members from private organizations. The table provided in response to Question 2 details the current membership

Five members of the Board are female.

Four members of the Board are racial minorities.

Five members of the Board are 60 years of age or older.

4. How many times did the board meet in fiscal years 2013 and 2014 and to date in fiscal year 2015? How many members were present at each meeting?

Answer:

In 2013, the Board met 3 times.

April 2013 – 10 members in attendance

August 2013 – 9 members in attendance

November 2013 – 8 members in attendance

In 2014, the Board met 3 times.

April 2014 – 9 members in attendance

September 2014 – 8 members in attendance

November 2014 – 9 members in attendance

In 2015, the board has had one meeting and has scheduled two meetings

April 2015 – 11 members in attendance

August 2015

November 2015

5. What per diem or travel reimbursement do board members receive? How much was paid to board members during fiscal years 2013 and 2014 and to date in fiscal year 2015?

Answer:

Board Members qualify for State travel rates for Commissioners and Board Members. Board members travel reimbursements totaled 1504.02 in FY13, 3858.75 in FY14, and 5882.82 thru April 30, 2015 in FY15.

6. What were the board's revenues (by source) and expenditures (by object) for fiscal years 2013 and 2014 and to date for fiscal year 2015? Does the board carry a fund balance and, if so, what is the total of that fund balance? If expenditures exceeded revenues, and the board does not carry a fund balance, what was the source of the revenue for the excess expenditures?

Answer:

All board expenditures are funded by 78.7% federal dollars and 21.3% state dollar match. The Board does not generate any revenues from its operation. See the schedule below for total expenditures by type for each fiscal year. The board does not carry a fund balance. Expenditures never exceed revenues.

COMMUNITY TRCs ADVISORY BOARD

TOTAL EXPENDITURES

7/1/12 - 4/30/15

<u>Description</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15 Thru April 2015</u>
Travel Reimbursements	1,504.02	3,858.75	5,882.82
Food Supplies	385.70		
Operational Supplies	75.61		
Total	<u>1,965.33</u>	<u>3,858.75</u>	<u>5,882.82</u>
Federal Share 78.7%	1,546.71	3,036.84	4,629.78
State Share 21.3%	418.62	821.91	1,253.04

7. Is the board subject to Sunshine law requirements (per Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the board have for informing the public of its meetings and making its minutes available to the public?

Answer:

The Board always holds its meetings at one of the Rehabilitation Centers and records minutes at each meeting. The minutes are available to the public upon request.

8. Please describe what policies and procedures the board has in place to address potential conflicts of interest by board members, staff and employees.

Answer:

The board only serves in an advisory capacity and has no authority to make rules or enter into contracts; therefore, the potential for serious conflicts of interest is very low. However, potential conflicts of interest would naturally be considered during each individual's placement on the Board.

9. Does the board have the authority to promulgate rules? If such authority is not granted, does the board feel that authority is needed?

Answer:

**No, the board does not have authority to promulgate rules.
No, the board does not need authority to promulgate rules.**

10. Does the board have a website? Is so, please provide the web address. What kind of public information is provided on the website?

Answer:

No, the Board does not have a website.

11. What were the major accomplishments of the board during fiscal years 2013 and 2014 and to date in fiscal year 2015?

Answer:

The Board makes it a goal to visit at least three Rehabilitation Centers per year to get acquainted with the staff and evaluate the work that is being performed at the centers. During the years mentioned the goals were accomplished, and the Board is on track to meet its goals again in 2015.

12. Please describe any reports prepared by the board during fiscal years 2013 and 2014 and to date in fiscal year 2015 and specify to whom the reports are sent. Please attach copies of the reports.

Answer:

The board does not compile reports. The board meets to discuss recommendations for the administration of the Tennessee Rehabilitation Centers and transmits those recommendations to the Assistant Commissioner for Rehabilitation Services in the form of a letter. A copy of a recent letter is attached.

13. Describe the purpose and activities of the rehabilitation centers. How many centers have been established and in what locations? Has each center been incorporated? What funds are budgeted for the centers on fiscal years 2013, 2014 and 2015?

Answer:

The Community Tennessee Rehabilitation Centers (CTRCs) provide rehabilitation services for individuals and employers in their surrounding areas. There are seventeen Community Tennessee Rehabilitation Centers strategically located throughout the state.

The CTRCs offer the following rehabilitation services for eligible individuals:

- **Comprehensive vocational evaluation;**
- **Employee development services; and**
- **Community employment services.**

The CTRCs offer the following services to employers:

- **Market ability;**
- **Recruitment;**
- **Industry outsourcing;**
- **Internships; and**
- **Services to injured workers.**

The list below shows the location of the 17 CTRCs as well as the surrounding counties that each one serves.

1. **Camden TRC (Benton County) – serves Benton, Carroll, Dickson, & Humphreys Counties**
2. **Clarksville TRC (Montgomery County) – serves Cheatham, Houston, Montgomery, & Stewart Counties**
3. **Cleveland TRC (Bradley County) – Bradley, Hamilton, & McMinn Counties**
4. **Columbia TRC (Maury County) – Maury County**
5. **Cookeville TRC (Putnam County) – Cannon, Clay, Jackson, Macon, Overton, Trousdale, Picket, Putnam, Warren, White, & Van Buren Counties**
6. **Dyersburg TRC (Dyer County) – Crockett, Dyer, & Gibson Counties**
7. **Elizabethton TRC (Carter County) – Carter & Johnson Counties**
8. **Franklin TRC (Williamson County) – Williamson County**
9. **Gallatin TRC (Sumner County) – DeKalb, Smith & Sumner Counties**
10. **Greeneville TRC (Greene County) – Greene County**
11. **Manchester TRC (Coffee County) – Coffee County**

- 12. Maryville TRC (Blount County) – Blount & Anderson Counties
- 13. Murfreesboro TRC (Rutherford County) – Rutherford, Wilson
- 14. Paris TRC (Henry County) – Henry & Weakley Counties
- 15. Shelbyville TRC (Bedford County) – Bedford, Hickman, & Perry Counties
- 16. Union City TRC (Obion County) – Gibson, Lake, & Obion Counties
- 17. Winchester TRC (Franklin County) – Franklin & Moore Counties

The Rehabilitation Centers are not incorporated; rather they are divisions of the Vocational Rehabilitation program operated by DHS.

Each CTTRC is funded by 70% federal funds and 30% from the local government. No state dollars are used to fund the CTTRCs

The total Administrative Budget for all of the CTTRCs is as follows:

		<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
		6,727,311.00	6,899,916.00	6,939,835.00
<u>Funding</u>				
Federal	70%	4,709,117.70	4,829,941.20	4,857,884.50
Local Match	30%	2,018,193.30	2,069,974.80	2,081,950.50

14. Does each incorporated center have a board of directors? What is the function of each center’s board of directors?

Answer:

The centers are not incorporated.

15. Has the board developed and implemented quantitative performance measures for ensuring it is meeting its goals? (Please answer either yes or no). If the board has developed and implemented quantitative performance measures, answer questions 16 through 23. If the board has not developed quantitative performance measures, proceed directly to question 24.

Answer:

No, the Board has not implemented quantitative performance measures. Questions 16 through 23 are therefore not applicable, and the next response is to Question 24.

16. What are your key performance measures for ensuring the board is meeting its goals? Describe so that someone unfamiliar with the program can understand what you are trying to measure and why it is important to the operation of your program.
17. What aspect[s] of the program are you measuring?
18. Who collects relevant data and how is this data collected (e.g., what types information systems and/or software programs are used) and how often is the data collected? List the specific resources (e.g., report, other document, database, customer survey) of the raw data used for the performance measure.
19. How is the actual performance measure calculated? If a specific mathematical formula is used, provide it. If possible, provide the calculations and supporting documentation detailing your process for arriving at the actual performance measure.
20. Is the reported performance measure result a real number or an estimate? If an estimate, explain why it is necessary to use an estimate. If an estimate, is the performance measure result recalculated, revised, and formally reported once the data for an actual calculation is available?
21. Who reviews the performance measures and associated data/calculations? Describe any process to verify that the measure and calculations are appropriate and accurate.
22. Are there written procedures related to collecting the data or calculating and reviewing/verifying the performance measure? Provide copies of any procedures.
23. Describe any concerns about the board's performance measures and any changes or improvements you think need to be made in the process.
24. Provide an explanation of any items related to the board that may require legislative attention, including your proposed legislative changes.

Answer:

The Board has no items that require legislative attention at this time.

25. Should the board be continued? To what extent and in what ways would the absence of the board affect the public health, safety, or welfare of the citizens of the State of Tennessee?

Answer:

In the interests of Tennesseans who seek rehabilitation services from the many centers across the state, it would be prudent to continue the operation of the Advisory Board for Rehabilitation Centers. Following the enactment of the federal Workforce Innovation and Opportunity Act of

2014, the Board should look to enhance its role of providing advisory support to the rehabilitation centers as they attempt to further promote competitive integrated employment for individuals needing rehabilitation services. By providing advisory support to the Department of Human Services, continuation of the Board will promote the health and welfare of an important segment of Tennessee's workforce.

26. Please list all board programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

Answer:

All expenses of the board, which are almost exclusively travel reimbursements, are funded with 78.7% federal dollars. Please see the schedule provided under Question 6 for the federal and state share of FY13, FY14 and FY15 expenses of the board. The board exists to oversee the operation of the Community TRCs and advise them of any improvements needed in the business operation and provide guidance for serving the clients. The board does not have any programs or activities other than its mission.

If the board does receive federal assistance, please answer questions 27 through 34. If the board does not receive federal assistance, proceed directly to question 33.

27. Does the board prepare a Title VI plan? If yes, please provide a copy of the most recent plan.

Answer:

The Board does not prepare a Title VI plan independent from that of the Department of Human Services. The Board exists solely to advise DHS on matters involving the Rehabilitation Centers within the state and provides no programs or services directly to the public. Further the Board has no dedicated staff. Therefore, compliance with Title VI is not an issue.

28. Does the board have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.

Answer:

The Board does not have its own independent Title VI coordinator.

29. To which state or federal agency (if any) does the board report concerning Title VI? Please describe the information your board submits to the state or federal government and/or provide a copy of the most recent report submitted.

Answer:

The Board reports to the Department of Human Services concerning Title VI and all other matters of administration.

30. Describe the board's actions to ensure that association staff and clients/program participants understand the requirements of Title VI.

Answer:

The Board has no staff, clients, or program participants.

31. Describe the board's actions to ensure it is meeting Title VI requirements. Specifically, describe any board monitoring or tracking activities related to Title VI, and how frequently these activities occur.

Answer:

Because the Board hires no staff and works with no clients or program participants; thus, it is not necessary to have procedures monitoring Title VI compliance.

32. Please describe the board's procedures for handling Title VI complaints. Has the board received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).

Answer:

The Board receives no Title VI complaints.

33. Please provide a breakdown of current board staff by title, ethnicity, and gender.

Answer:

The Board has no staff.

34. Please list all board contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.

Answer:

The Board does not enter into contracts.

Attachment:

Copy of November 2014 letter from the Advisory Board to the Assistant Commissioner for Rehabilitation Services describing the recommendations formulated by the Board at the November 2014 meeting.

November 26, 2014

**Cherrell Campbell-Street, Assistant Commissioner
Department of Human Services
Division of Rehabilitation Services
Citizens Plaza State Office Building, 15th Floor
400 Deaderick Street
Nashville, TN 37243**

Dear Assistant Commissioner Campbell-Street,

On behalf of the advisory board as current chairman I am following up with you regarding the recent State Advisory Board Meeting held November 5-6 at the Greeneville Tennessee Rehabilitation Center. This meeting was very productive despite the last minute difficulties in obtaining approvals for the meeting. To avoid this problem in the future, and at your request, this State Advisory Board has scheduled next year's meetings in advance. These meeting dates are as follows:

April 16-17, 2015 Shelbyville TRC
August 27-28, 2015 Smyrna TRC
November 5-6, 2015 TBA

The board members thoroughly reviewed detailed information as to the nominations for the Most Improved Center of the Year Award 2014 and the Most Outstanding Center of the Year Award 2014. A vote was taken and the Paris TRC was selected for the Most Improved Center of the Year. After much discussion a vote was taken and the board selected the Elizabethton and the Greeneville TRCs for the Most Outstanding Centers of the Year. The board strongly felt that both of these TRCs were deserving and should receive this award due to production excellence and creativity in service delivery. Would it be possible to use 100% state funds to again award the winners a monetary sum to be used to improve the center?

I am providing you with the following summary of board recommendations as result of our November meeting:

1. Due to the State Advisory Board's strong concern that the Business Employment Counselor (BEC) positions remain physically located at all seventeen community TRCs the board is currently recommending that all vacant BEC positions be filled and be physically located in all seventeen Community TRCs and that all filled BEC positions continue to remain physically located within each of the Community TRCs. The board has reviewed the effectiveness and benefits of having the BEC positions physically located within the facilities and are in full agreement that the day to day contact and networking among the BEC, facility staff, job coaches and local employers are the key ingredients to the successful job placement of clients receiving services.
The creation of those positions originated from the community TRCs great need of the position to develop a network with local employers, create employment partnerships

between the TRCs and local employers, and facilitate networking between the clients receiving services at the TRCs, local employers, center staff working directly with the clients, and referring field counselors. There has been and continues to be clear evidence that the physical location of the BEC in the TRCs is directly related to an increase in client job placements and business partnerships with local employers.

2. The State Advisory Board recommends that the Division of Rehabilitation Services and the Department of Intellectual and Developmental Disabilities work closely together to utilize blended program services to accomplish and maximize worksite training and job placement activities for clients with intellectual and developmental disabilities. Also, this should be pursued in areas where there are community TRCs in order to establish a model of success and support. Amy Gonzales, State Director of Employment and Day Services for DIDD, will prepare a presentation for the April board meeting and provide an overview of DIDD employment services and what can be considered blended services.
3. The State Advisory Board recommends that a financial analysis be conducted at each Community TRC to determine if the current designated payroll budget cap or limit is sufficient to serve current clients in the Employee Development program of services as needed. Also that any community TRC found to have an insufficient cap or limitation on the payroll budget where clients must be restricted in training activities to achieve employment goals be given approval to increase the payroll budget cap to meet client needs.

*Tom
Abuene*

There is clearly evidence at the Elizabethton TRC that the budget cap or limit is restricting job training activities. Current payroll caps were established based on center needs over thirty years ago. Ken Arnold will initiate contact with Center Managers to obtain needed information for a financial analysis.

4. Due to the boards ongoing concern about the current vacant positions at the community TRCs, the lengthy period of time that many positions have been vacant and the impact this has on the TRCs in meeting client vocational and employment needs as well as center production goals it is recommended that you implement the recommendation made in November of 2012 concerning this issue.

The recommendation made then and re-submitted now is as follows:

The State Advisory Board recommends that all vacant positions at any of the community TRCs be given high priority in filling and that the hiring process be expedited. Also due to the fact that the community TRCs are directly responsible for the health, safety and welfare of all individuals with the most severe and multiple disabilities receiving services at the TRCs it is imperative that the TRCs remain fully staffed. In addition due to the fact that the community TRCs have a small staff to maintain daily operations with clients, requiring all staff to assist in the supervision of clients receiving services, any staff vacancies for lengthy periods of time severely impacts the TRCs ability to provide appropriate supervision of clients and significantly jeopardizes the health, safety and welfare of the clients receiving services at these facilities.

5. The State Advisory Board requests that the Assistant Commissioner of the Division of Rehabilitation Services attend as many of the scheduled board meetings as possible and at least one board meeting per calendar year.

The State Advisory Board is impressed with the employment partnerships that the Community TRCs have been able to develop and the networking between center staff, local employers, referring counselors, and others in creating work site training opportunities for clients leading to successful job placement. Some centers have developed successful models of how this process should work. However, for these types of worksite training partnerships to increase and expand statewide the board recognizes a clear need for specific training to be provided to new and existing staff in developing, networking, facilitating, and maintaining these valuable work site training opportunities.

Therefore, the board will further explore training needs and possible models of appropriate training and this topic will be on our agenda for full discussion in our April board meeting. We hope to be in position to make a specific recommendation to you following the April board meeting concerning needed staff training.

I want to thank you for your continued support of this State Advisory Board. I recognize and fully understand that you have a tremendously busy schedule. I would greatly appreciate your availability to place you on our agenda for as many board meetings as possible, or if not possible for you to send a representative, as we attempt to do our very best in serving our advisory role as a state board. Our recommended board meeting dates are included in this letter. I especially would like to have you on our morning agenda for the August 28, 2015 board meeting at TRC Smyrna. This would be prior to the TRC Graduation that day. Please advise if we can get this important date confirmed on your calendar.

On a final note, the State Advisory Board is very grateful for the work Mr. Ken Arnold has done for the community TRCs and for working so closely with this board. He has been very faithful in attending all board meetings and provides excellent and very detailed information about TRC production, progress, plans, and issues at all board meetings. He has been a very valuable asset and we regret he will be retiring in January of 2015. I would like to request that if Mr. Arnold's position has not been filled by the time of our April 16-17 board meeting that a Community TRC management representative be assigned to attend this meeting and be prepared to provide an overview of current issues, attainment of production goals, and status of filling vacant positions.

Sincerely,



Thomas Wilson, Chairman
State Advisory Board for Tennessee Rehabilitation Centers