

## Alternate Proposal for Office of Employment First & Office of Disability

- Disability employment rates are horrible, people with the most significant disabilities have the worst employment rates
- EFAP and CLAG both recommended an Office of Employment First
- In December 2018 EFAP voted to support the HCPF R-16 request, there was extensive discussion about needing to keep employment first cross-disability and about whether or not JFK Partners was the right location for the Office of Employment First
- The February CDLE figure setting framed the Office of Employment First as a training entity that would make recommendations to the 5 state agencies named in SB16-077
- The CDLE figure setting recommendation assumed the Office of Employment First will be housed at [JFK Partners](#), with no plan for an RFP
- DVR has suggested EFAP would be involved in governing and hiring of staff for the Office of Employment First but this is only a verbal agreement
- At least 9 state's UCEDD's do significant work on Employment First: [Georgia](#), [Indiana](#), [Iowa](#), [Massachusetts](#), [Minnesota](#), [New Hampshire](#), [North Dakota](#), and [Tennessee](#), and [Vermont](#)
- The budget numbers (page 72 of the CDLE figure setting document) for JFK Partners were estimated by CDLE and some are absurd: \$125,000 leased space (assumption was 5,000 square feet for 7.0 FTE), \$14,000 to recruit staff, \$117,000 to hire a grant writer to fundraise for JFK Partners, etc
- The UCEDD's that do Employment First work mostly focus on training and research, the EFAP has talked extensively about the need for an Office of Employment First to coordinate 5 state agencies along with trainings
- [Pennsylvania](#) has taken a Governor's cabinet approach
- **We can do more good for more people with these funds!**
- We should expect any non-state government entity to earn the portion of Employment First they are in charge of through formal procurement
- CCDC circulated a sign-on letter of concern about the Office of Employment First being housed at JFK Partners and got 19 organization's responses in 3 days including a Saturday and Sunday
- We have another option
  - Create an Office of Disability under the Lt. Governor
  - Create an Office of Employment First within the Office of Disability
    - Lt. Governor Primavera was the House sponsor of SB16-077
  - There is not physical capacity for 4.0 FTE on the 1<sup>st</sup> floor of the Capitol so space would need to be leased in another building near the Capitol
  - Create and host the Employment First website and DB101 through the Governor's Office of Information Technology
  - Contract out Employment First training through formal RFP, reviewed and approved by EFAP (which JFK Partners should respond to)
  - Award funding to Centers for Independent Living for Employment First efforts, criteria and application reviewed and approved by EFAP
  - Fund EFAP in FY19-20: facilitator, food, and trainings

## **Questions for Employment First Advisory Partnership**

- What do we want from an Office of Employment First?
  - Is the focus training and research?
  - Should the office coordinate the 5 state agencies listed in SB16-077?
  - Should the office also advise the Department of Personnel and Administration on making the state a model employer?
- Should a non-state agency be given funding without an RFP?
- Should there be an Office of Disability created using IDD Cash Funds?
- What role should the Employment First Advisory Partnership have with the Office of Employment First?
  - Approving RFP and contract?
  - Participation in hiring committee?
  - Should it be the full EFAP or a sub-committee?
- Is JFK Partners uniquely qualified to house the Office of Employment First?
  - What is JFK Partners experience?
    1. Hiring people with disabilities
    2. Training on employment
    3. Coordinating state agencies
    4. Finding grants to continue work beyond initial funding?
  - Can JFK Partners operate the Office of Employment First for all types of disabilities?

### **Suggested Motion:**

I move the Employment First Advisory Partnership support the alternate proposal from the Colorado Cross-Disability Coalition to: create an Office of Disability in the Lieutenant Governor's Office using \$289,618 from the IDD Cash Fund, create an Office of Employment First under the Office of Disability using \$139,766 from the IDD Cash Fund matched with federal funds through DVR for \$656,180 in total funds, contract out employment first training through an RFP process with the RFP and contract reviewed and approved by the EFAP at a cost of \$159,750 from the IDD Cash Fund matched with federal funds through DVR for \$750,000 in total funds, create an employment first fund for Centers for Independent Living to request funds from for disability employment efforts through an RFP process with the RFP and contracts reviewed and approved by the EFAP at a cost of \$53,250 from the IDD Cash Fund matched with federal funds through DVR for \$250,000 in total funds, and to set aside funding for the continued operation of the EFAP at a cost of \$1,960 from the IDD Cash Fund matched with federal funds through DVR for \$9,200 in total funds.

And

I move CDLE and the Lieutenant Governor's Office have flexibility within this request to move up to 25% of the funding within this portion of the request as needed to maximize employment first efforts and only with approval from the EFAP.

11/1/2018

FY19-20 Budget Request [R-16 from HCPF](#)

\$6,784,535 total funds

\$3,828,666 from the IDD Cash Fund

HCPF Portion

\$655,680 from IDD Cash Fund for a supported employment pilot

\$1,948,567 from IDD Cash Fund for state only funded SLS services

\$427,458 for Family Support Services

The sum of the HCPF request, all IDD specific, is \$3,031,705 (79% of the IDD Cash Funds requested)

CDLE Portion

\$800,000 is from IDD Cash Fund then leveraged using the 78.7% federal match for \$3,775,869 total funds

12/11/2018

HCPF Office of Community Living [Briefing by JBC staff](#) Pages 17-19 [audio](#)

12/19/2018

HCPF Office of Community Living [Hearing](#) pages 14-15 [audio](#)

12/19/2018

CDLE Briefing [from JBC staff](#) pages 23-34 [audio](#)

1/14/2019

CDLE [Hearing](#) pages 10-13 [audio](#)

2/21/2019

CDLE [figure setting](#) pages 70-79 [audio](#)

Page 72

\$1,668,380 is allocated for JFK Partners to create the Office of Employment First, \$355,365 is from the IDD Cash Fund (9.3% of the IDD Cash Funds requested)

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\$367,780 is allocated for 4 DVR positions, \$78,337 is from the IDD Cash Fund (2% of the IDD Cash Funds requested)

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\$360,000 is allocated for Regional Customized Employment Pilot Programs, \$76,680 is from the IDD Cash Fund (2% of the IDD Cash Funds requested)

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This leaves \$289,618 of IDD Cash Fund, of the original \$800,000 requested for CDLE, un-allocated. JBC staff suggested using \$100,000 of general fund for part of the DVR request instead.



## Colorado Cross-Disability Coalition Proposed Changes to FY19-20 R-16 from HCPF

**No changes to HCPF portion, only the CDLE line item for JFK Partners, and the creation of a cabinet level Office of Disability**

	CDLE Figure Setting Funds (assumes 78.7% federal DVR match)	Extra Funds not Allocated at CDLE Figure Setting (assumes no federal match)	Notes	FTE
Total	\$1,668,380	\$289,618		4.0
Training RFP	\$750,000		Open RFP approved by EFAP, JFK can and should respond to the RFP. EFAP should also approve contract language and evaluation of contractor	
Employment First CIL Fund	\$250,000		JBC staff expressed a need for CILs to be involved, EFAP should set criteria for funding requests	
Office of Disability Director		\$150,000	Cabinet level position focused on disability, see letter from the Arc, DD Council, Alliance, JFK, CCDC also supports this	1.0
Office of Disability Lease		\$50,000	There is not physical space in the Capitol for more FTE	
Office of Disability Admin Assistant		\$20,000	Administrative assistant	0.4
Office of Disability computers, furniture, supplies		\$25,000	Start-up costs for Office of Disability	
Office of Disability travel		\$25,000	Statewide input on disability issues is needed	
Office of Disability contractors: grant writing, experts		\$15,000	Operation of the Office of Disability will require outside support	
Office of Disability trainings, subscriptions		\$4,618	Governor's Office staff should get trained on disability issues	
Manager of Employment First	\$120,000		Oversees all Employment First activities, coordinates state agencies, manages training contractor(s)	1.0
Employment First Analyst	\$40,000		Evaluates Employment First efforts by state agencies and trainer(s)	0.7
Employment First Grant Writer	\$40,000		Writes grant applications to continue and grow Employment First efforts	0.3
Employment First Admin Assistant	\$30,000		Administrative assistant	0.6
Employment First website	\$125,000		The Governor's Office of Information Technology has dedicated staff to accessible websites, would be consistent with state websites	
DB101 Initial Purchase	\$273,800		Price from CDLE figure setting, OIT has experience overseeing such contracts	
DB101 Maintenance	\$27,380		Price from CDLE figure setting, OIT has experience overseeing such contracts	
EFAP Facilitator	\$3,600		EFAP needs a facilitator to meet effectively	
EFAP Food for Meetings	\$3,600		4 hour meetings are hard on everyone, boxed lunches are a small gesture of appreciation to everyone	
EFAP Trainings	\$2,000		There are experts who can guide EFAP work, but they charge a fee	

### Assuring Purpose of IDD Cash Fund is Respected

	Total Funds	% of Funds focused on people with DD labels	Notes
Total Requested From IDD Cash Fund in FY19-20	\$3,828,666		
Supported Employment Pilot	\$655,680	17.1%	No federal matching funds, state IDD definition
State Funded SLS Services	\$1,948,567	50.9%	No federal matching funds, state IDD definition
Family Support Services	\$427,458	11.2%	No federal matching funds, state IDD definition
Total Requested by CDLE including federal match	\$1,668,380		Includes the 78.7% federal DVR match
Assuming 35.7% of those served have DD label	\$595,612	15.6%	% served assumption based on 2017 DVR report
Funds to start Office of Disability	\$289,618		No federal matching funds
Assuming 35.7% of those served have DD label	\$103,394	2.7%	% served assumption based on 2017 DVR report
Case Services Funding for DVR	\$469,484		State General Funds with 78.7% federal DVR match
Assuming 35.7% of those served have DD label	\$167,606	4.4%	% served assumption based on 2017 DVR report
Total Funds Focused on People with DD Labels	\$3,898,316	101.8%	

### A Reasonable Budget for JFK (or another organization) to do the Training Portion of Employment First awarded through RFP Compare to page 72 of CDLE Figure Setting Document

	Estimated Cost	Assumption	Notes
Curriculum developer/trainer	\$442,000	4.0 FTE	
Analyst/grant writer	\$58,500	0.5 FTE	
Administrative support	\$35,750	0.5 FTE	
University of CO Admin fee	\$53,625	10% of staff cost	
Leased space	\$25,000	\$25/sqft x 1,000 sqft	
Annual statewide conference	\$75,000		If skipped first year should be used for planning, training, gathering feedback statewide
Supplies	\$5,000		
Travel	\$20,000		
Dues, fees, subscriptions	\$2,000		
SB18-145 vendor certification	\$21,250		Certification capability
Staff computers/training/office equip	\$11,875		
Total	\$750,000		



The undersigned organizations are concerned with the way the HCPF budget request was presented to the JBC during CDLE figure setting. We support the concept of employment first and are excited about getting more people with disabilities employed in Colorado, however we have concerns about the placement of the office of employment first in an outside entity rather than in the state executive branch. JFK Partners is a University Center for Excellence in Developmental Disabilities (UCEDD) and is primarily focused on research and education, not coordination of government agencies.

In the Hickenlooper budget request, made public in November 2018, the HCPF request R-16 included coordination between 5 State agencies and training, however the figure setting recommendation for CDLE presented to the joint budget committee on February 21, 2019 focused on the training aspects only. JFK Partners is likely equipped to do the training, however without the coordination of the state agencies we do not believe it will be effective in getting more people with disabilities employed. Our proposal is to house the office of employment first in the governor or lieutenant governor's office, and contract out the training components. We are concerned about a single source contract though, so we would suggest it be through an RFP process and competitively bid to the best provider.

Throughout the process of the employment first discussions we have been reassured time and time again that it will be cross-disability. The original bill that started the Employment First Advisory Partnership (EFAP), SB16-077, was intentionally written to include multiple types of disabilities on the committee and the recommendations from the EFAP have all been intentionally cross-disability. JFK Partners is by definition not cross disability, they are University Center for Excellence in Developmental Disabilities.

Please consider our solution, due to state rules on quiet periods for the budget process no non-state employees have been able to engage in the discussions around the budget request until it was public. The EFAP did take a binary vote to support the budget request, however there was extensive discussion about the need to keep it cross-disability and concerns expressed about the office being housed at JFK Partners.

Sincerely,

Julie Reiskin, Executive Director, CCDC  
Dawn Russell, ADAPT  
Candie Burnham, Atlantis Community  
Joan LaBelle Disabled Resource Services  
Patricia Yeager, The Independence Center  
Maria Stepanyan Center for People with Disabilities  
Martha Mason, Southwest Center for Independence  
Ian Engle, Northwest Colorado Center for Independence  
Linda Taylor, Center for Independence Grand Junction  
Amy Robertson, Civil Rights Education and Enforcement Center

David Henninger, Bayaud Enterprises  
Sharon O'Hara, Chronic Care Collaborative  
Gavin Attwood, Brain Injury Association of Colorado  
Ashlee Lewis, The Initiative (Formerly Domestic Violence Initiative for Women with Disabilities)  
David Bolin, Accent on Independence  
Ryan Zieger, PASCO  
Menda Warne, Access and Ability  
Aubrey Hasvold, Colorado Coalition for the Homeless



CCDC –Colorado Cross-Disability Coalition



January 14, 2019

The Honorable Jared Polis  
Governor of Colorado  
Colorado State Capitol  
Denver, CO 80203

Dear Governor Polis,

On behalf of providers and advocates representing Coloradans with intellectual and developmental disabilities (IDD), we would like to congratulate you on your election to the office of Governor. Over the coming years of your term, we look forward to working with your office to ensure that Coloradans with IDD have opportunities to live, work, and participate in their communities and receive support to do so. Below, we outline our shared priorities that are imperative to achieving this goal. By the end of your term, we call upon you to:

#### **Eliminate the Waiting List for IDD Services**

People with IDD have unique skills, talents, and experiences to contribute to society. In order to make these contributions, they typically need publicly-funded support throughout their lifetimes. Despite legislation calling for a plan to end the waiting list by 2020, more than 3,000 Coloradans continue to wait for the services they need to access the equality of opportunity that people without disabilities enjoy, with no clear end in sight. The existence of a waiting list is a social justice issue that we all have a responsibility to address, and while the IDD community has long shared a unified vision to eliminate it, strong leadership from your office is a necessary component to success.

#### **Create an Cabinet-Level Office for People with Disabilities**

People with disabilities and the programs that support them need recognition from Colorado's highest office. The system of supports available to Coloradans with IDD is complex web of programs, services, and models that is challenging to navigate, especially with the array of systems change initiatives underway. Currently, programs supporting this population are administered and regulated by the Departments of Human Services (Early Intervention and state-operated Regional Centers), Education (Special Education), Health Care Policy & Financing (Medicaid waiver programs, state-funded Supported Living Services, and Family Support), Public Health and Environment (facility licensure and regulatory oversight), Local Affairs (Section 8 housing vouchers), and Labor and Employment (Vocational Rehabilitation). Additionally, most of these programs are regulated at the federal level. While the population of people with IDD is relatively small, services for this population represent more than \$600 million in the state budget. Given the number of state agencies and regulatory requirements involved, as well as the state budget investment, Colorado is in need of a streamlined and coordinated approach to IDD services across the lifespan. Like other states, Colorado should employ an Office for People with Disabilities with leadership at the cabinet level to improve access to and

quality of services, as well as ensure financial efficiency and smooth transitions between life stages. The Office should represent all disability types, including people with intellectual and developmental disabilities.

### **Finalize Person-Centered Systems Change Efforts**

Colorado is currently in the process of redesigning its two waiver programs for adults with IDD into one waiver that would provide person-centered supports, but, due to the scale and complexity of this task, the process was recently restructured and the timeline extended. Coloradans with IDD, their families, advocates, and providers are eager for meaningful changes to help people navigate the service system and access the services that best meet their needs. Critical parts of this redesign process include:

- Giving people accepting waiver services an individualized budget allocation which can be used flexibly to purchase services that best meet their needs, creating transparency in how waiver resources are allocated and placing budget authority in the hands of the person with IDD.
- Creating a user-friendly, web-based provider selection tool specific to IDD to allow people to see the full range of provider agencies available to meet their needs and select the best match.
- Collecting and sharing data about whether people with IDD are accessing the services they need to identify gaps and inform future policymaking.
- Implementing waiver services that support social inclusion and full integration into all aspects of community life and are characterized by current best practice.

We are committed to working with you and your Lieutenant Governor, Dianne Primavera, to complete these goals. We note that Lt. Governor Primavera has a history of leadership on disability issues in her role in the General Assembly, which we hope will continue in her new role. Finally, we would like to share some relevant information about Coloradans with IDD:

- An estimated 1-2% of the population lives with IDD. This translates to between 56,800 and 113,600 Colorado citizens.
- Services for people with IDD are almost solely government-funded, with the vast majority provided through Medicaid Home- and Community-Based Waiver programs.
- More than 15,000 children and adults receive community IDD services in Colorado, including waiver programs, state programs, and Early Intervention. An additional 87,947 children receive special education services in schools.
- People with IDD incur their disabilities during the developmental period, or before the age of 22. Most people with IDD need supports of some kind throughout their entire lifespans.
- Historically, people with IDD were largely segregated in institutions, and today, they continue to experience significant barriers to integration, employment, health care, education, housing, and other aspects of community life compared to people without disabilities.

We must ensure that Coloradans with IDD and their families, advocates, and providers are well supported through state systems that streamline and ensure access to high-quality services. We look forward to collaborating with you to make meaningful community living a reality for all Coloradans with IDD.

Sincerely,



[Joshua Rael](#), JD, MPA, Executive Director

Alliance is a non-profit, statewide association of Community Centered Boards (CCBs) and Program Approved Service Agencies (PASAs) that is dedicated to strengthening services and supports for Coloradans with intellectual and developmental disabilities by collaboratively advancing innovative policies and practices. [www.alliancecolorado.org](http://www.alliancecolorado.org)



[Joelle Brouner](#), Director

The Colorado Developmental Disabilities Council is a 24-member body appointed by the Governor to advise the Governor and General Assembly on matters impacting persons with developmental disabilities. The Council advocates for the development and implementation of public policy to further the independence, self-determination, and community inclusion of Coloradans with developmental disabilities. [www.coddc.org](http://www.coddc.org)



[Mary Anne Harvey](#), Executive Director

As Colorado's Protection & Advocacy System, Disability Law Colorado protects and promotes the rights of people with disabilities and older people in Colorado through direct legal representation, advocacy, education, and legislative analysis. [www.disabilitylawco.org](http://www.disabilitylawco.org)



[Sandra L. Friedman](#), MD, MPH, Executive Director

As Colorado's University Center for Excellence in Developmental Disabilities (UCEDD) and Leadership Education in Neurodevelopmental Disabilities (LEND) program, JFK Partners provides interdisciplinary pre-serve training, continuing education, clinical services, community collaboration, research, and dissemination pertaining to Coloradans with developmental disabilities. [www.ucdenver.edu/jfkpartners](http://www.ucdenver.edu/jfkpartners)



[Christiano Sosa](#), Executive Director

The Arc of Colorado is a private, non-profit statewide volunteer organization. Along with its local chapters, The Arc provides crucial educational information, support, and advocacy for people with intellectual and developmental disabilities and their families. [www.thearcofco.org](http://www.thearcofco.org)