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COMMISSION LETTER 79-1

February 15, 1979

Office of the Commissioner

SUBJECT: CONSERVATION OF FUNDS

A. PURPOSE:

To provide guidance in the conservation of funds.

B. PROCEDURE:

In an effort to conserve available TRC funds, the following procedures are to be observed with strict adherence. These procedures are not to be perceived as relieving any existing requirement, but are to be understood as an addition to existing RSM policy. Effective upon receipt, the below listed will be operational policy:

1. Cancellation of all Staff Development workshops requiring Section 110 funds. Any exception to this policy is to be acquired, in writing, through channels from the appropriate Deputy Commissioner. This does not negate the continuance of supervisory or of regional staff development functions.
2. Authorization for the cost of training services will be limited to a total amount of \$1,000 for any client. Exception: Those cases where prior commitment has been made and is documented by a jointly signed IWRP existent prior to this date. It will be necessary for such requisitions to be signed by the Supervisor, certifying prior commitment.
3. There will be no authorization to purchase books and supplies for academic training. Any exception to such will require the approval of the Regional Director on the requisition. Where Counselors have made a prior commitment to purchase books and supplies, written notice will be made to the clients providing adequate time for the development of alternate methods.
4. No service will be provided to a "trauma case" or emergency condition (except intercurrent illness) until at least 30 days have passed from the date of onset. Any exception must be approved through a memorandum by the Regional Director after consultation with the Administrative Medical Consultant.
5. No increase is to be authorized in any standardized fees such as those found in the Facility Standards, MAPS, or RSM.
6. Negotiated medical fees must be approved, in writing, by the Administrative Medical Consultant with copies directed to the Regional Director and appropriate Assistant Deputy Commissioner. Regional Director override will consummate this procedure.

- 2
7. There will be a freeze on the hiring of any new personnel or replacement, unless there is approval by the Commissioner, Deputy Commissioner, Assistant Commissioner, or Assistant Deputy Commissioner, whichever is appropriate. TRC Form 4 will be required when filling one of these positions. This policy includes personnel in both the field and Central Office.
 8. Travel reimbursement for the attendance of professional organizational meetings is to be ceased except where advance written approval is provided by the appropriate Deputy Commissioner. Request for approval will be through the usual channels.
 9. Out-of-state travel of all employees, regardless of funding source, is precluded except that approved by the Commissioner through the appropriate channels.
 10. Expenditure for any capital outlay purchase will be limited to stock that exists in the Warehouse.
 11. The Supervisor will approve, by signature, every original and amended IWRP. This signature certifies the presence of a disability, vocational handicap, and the provision of appropriate and meaningful services. The Supervisor, before signing, should specifically address the efficiency of the planned services. Outlined case service review requirements referenced in the RSM will hereby be suspended in lieu of the above.
 12. Requisitions for halfway house services will not exceed 90 days. Extension beyond this period will require the approval of the Supervisor on the requisition.
 13. Prior to approval of out-of-state training by the Supervisor, consultation is to occur with the appropriate Program Specialist.

It should be understood by all staff that the projected expenditure of the severely disabled-diagnostic budget is being diminished at an alarming rate. When expenditures for this quarter reach 100 percent of the budgeted amount for severely disabled and diagnostic services, expenditure of funds will cease in this category. Any exception to this will require Regional Director override.

It is hopeful that through the above conservation methods the Commission will be able to provide services to the handicapped for a greater period of time during fiscal year 1979. Utilization of similar benefits is highly critical.

C. DISTRIBUTION:

To all Holders of the Commission Letters.

D. EXPIRATION DATE:

September 30, 1979.

MHW

MHW:sm

COMMISSION FOR REHABILITATION—CREATION

CHAPTER 40⁸⁷

S. B. No. 110

An Act creating a Commission for Rehabilitation and prescribing its powers, duties, functions, financing and procedures; repealing Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Article 2675—1, Vernon's Texas Civil Statutes); and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Purpose

Section 1. It shall be the policy of the State of Texas to provide rehabilitation and related services to eligible handicapped individuals so that they may prepare for and engage in a gainful occupation or achieve maximum personal independence.

Definitions

Sec. 2. For the purposes of this Act:

(a) The term "agency" or "commission" means the Commission for Rehabilitation.

(b) The term "commissioner" means the chief administrative officer of the agency.

(c) "Handicapped individual" means any individual, except one whose disability is of a visual nature, who has a disability which constitutes a substantial handicap to employment, or to achieving maximum personal independence, but which is of such a nature that rehabilitation services may reasonably be expected to render him fit to engage in a gainful occupation, including a gainful occupation which is more consistent with his capacities and abilities or render him fit for self-care and independent living; and "handicapped individual" includes such an individual for whom rehabilitation potential. "Handicapped individual" shall include individuals disadvantaged by reason of their youth or advanced age, low educational attainments, ethnic or cultural factors, prison or delinquency records, or other conditions which constitute a barrier to employment, as well as members of their families when the provision of rehabilitation services to family members is necessary for the rehabilitation of a handicapped individual.

(d) "Disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's activities or functioning. It includes behavioral disorders characterized by deviant social behavior or impaired ability to carry out normal relationships with family and community which may result from vocational, educational, cultural, social, environmental, or other factors. "Disability" includes the disadvantageous

87. Vernon's Ann.Civ.St. art. 26751, §§ 1-17.

condition resulting from low educational attainment, ethnic or cultural factors, youth or advanced age, or other factors which constitute a barrier to employment or self-care and independent living.

(e) "Substantial handicap to employment" means that a disability impedes an individual's occupational performance by preventing his obtaining, retaining, or preparing for a gainful occupation consistent with his capacities and abilities.

(f) "Rehabilitation services" means any goods and services necessary to render a handicapped individual fit to engage in a gainful occupation, or independent living, or to determine his rehabilitation potential, and to provide work adjustment training or adult social services. To render a handicapped individual fit to engage in a gainful occupation or independent living, may require the agency to engage in or contract for some or all of such activities as outreach, diagnosis and appraisal, treatment, training, job placement or self-employment, guidance and counseling. Services may include maintenance, transportation and training allowances, not exceeding the estimated cost of subsistence during rehabilitation, for the handicapped individual as well as members of his family when necessary for the rehabilitation of the handicapped individual.

(g) "Gainful occupation" includes employment in the competitive labor market; practice of a profession; self-employment; homemaking, farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; and home industries or other gainful homebound work.

(h) "Establishment of a rehabilitation facility" means (1) the expansion, remodeling, or alteration of existing buildings, necessary to adopt or to increase the effectiveness of such buildings for rehabilitation facility purposes; (2) the acquisition of initial equipment for such purposes; or (3) the initial staffing of a rehabilitation facility.

(i) "Establishment of a workshop" means the expansion, remodeling, or alteration of existing buildings necessary to adapt such buildings to workshop purposes or to increase the employment opportunities in workshops, and the acquisition of initial equipment necessary for new workshops or to increase the employment opportunities in workshops.

(j) "Construct" includes construction of new buildings, acquisition of existing buildings, and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such new, newly acquired, expanded, remodeled, altered, or renovated buildings.

Commission as principal authority

Sec. 3. The Commission for Rehabilitation is the principal authority in the State on matters relating to rehabilitation of handicapped and disabled individuals, except for those matters relating to individuals whose handicaps or disabilities are of a visual nature. All other state agencies engaged in rehabilitation activities and related services to individuals whose handicaps or disabilities are not of a visual nature shall coordinate those activities and services with the Commission.

Appointment of board members and staff

Sec. 4. There is hereby created a Commission for Rehabilitation which shall consist of the Board of the Commission for Rehabilitation, a Commissioner, and such other officers and employees as may be required to efficiently carry out the purposes of this Act. The Board of the Commission for Rehabilitation shall consist of six members appointed by the governor. With the advice and consent of the Senate, the governor shall biennially appoint two members to serve a term of six years, except that when the six initial appointments are made, the governor shall designate two members to serve for two years, two for four years, and two for six years. The governor shall also fill by appointment for the unexpired term any vacancy on the Board caused by death, resignation or inability to serve for any reason. Members shall serve until a successor is appointed and has qualified by taking the oath of office. Appointees shall be outstanding citizens of the state who have demonstrated a constructive interest in rehabilitation services. No paid employee of any agency carrying on work for the commission shall be eligible for appointment, nor shall any person who owns or is employed by an organization providing rehabilitation services or related services through the commission.

The governor shall designate one Board member as chairman. The Board shall meet quarterly in regular session and on call by the chairman when necessary for the transaction of agency business. Board members shall serve without pay except they shall be compensated for actual and necessary expenses incurred in the discharge of the official duties.

Commissioner

Sec. 5. (a) This Act shall be administered by the Commissioner under operational policies established by the Board. The Commissioner shall be appointed by the Board on the basis of his education, training, experience, and demonstrated ability. He shall serve at the pleasure of the Board. He shall be secretary of the Board, as well as chief administrative officer of the agency.

(b) The Board is authorized to appoint an advisory committee which shall make recommendations for consideration of the Board concerning any matter which the advisory committee believes to be pertinent to the purposes of this Act. The advisory committee shall have nine members appointed by the Board, each of whom shall serve for three years and until a successor is appointed. However, when the initial appointments are made, the Board shall designate three members who will be appointed for terms of one year, three members who will be appointed for terms of one year, three members who will be appointed for two years, and three members who will be appointed for terms of three years. The advisory committee shall meet at least once in each calendar quarter and may meet on call of the Board. The members of the advisory committee shall serve without pay except that they are entitled to be reimbursed for actual and necessary expenses incurred in attending the official meetings of the advisory committee. The membership of the advisory committee shall be composed of citizens who have demonstrated an active and constructive interest in the rehabilitation of handicapped people. The Board shall also fill, by appointment for the unexpired term, any vacancy on the advisory

committee. The Board is also authorized to create from time to time such additional technical advisory committees as it may deem necessary to the purposes of this Act, the members of which shall serve without compensation unless such is specifically provided for by appropriation.

Administration

Sec. 6. In carrying out his duties under this Act, the Commissioner:

(a) shall, with the approval of the Board, make regulations governing personnel standards; the protection of records and confidential information; the manner and form of filing applications, eligibility, investigation, and determination therefor for rehabilitation and other services; procedures for hearings; and such other regulations as he finds necessary to carry out the purposes of this Act;

(b) shall, with the approval of the Board, make long-range and intermediate plans for the scope and development of the program and make decisions regarding the allocation of resources in carrying out such plans;

(c) shall, with the approval of the Board, establish appropriate subordinate administrative units;

(d) shall, under personnel policies adopted by the Board, appoint such personnel as he deems necessary for the efficient performance of the functions of the agency;

(e) shall prepare and submit to the Board annual reports of activities and expenditures and, prior to each Regular Session of the Legislature, estimates of sums required for carrying out the purposes of this Act; and, with the approval of the Board, submit such reports to the governor and the Legislature;

(f) shall make certification for disbursement, in accordance with regulations, of funds available for carrying out the purposes of the Act;

(g) shall take such other action as he deems necessary or appropriate to carry out the purposes of this Act; and

(h) may, with the approval of the Board, delegate to any officer or employee of the agency such of his powers and duties, except the making of regulations and the appointment of personnel, as he finds necessary to carry out the purposes of this Act.

Agency functions

Sec. 7. The agency shall, to the extent of resources available and priorities established by the Board, provide rehabilitation services directly or through public or private resources to individuals determined by the Commissioner to be eligible therefor, and in carrying out the purposes of this Act, the agency is authorized:

(a) to cooperate with other departments, agencies, political subdivisions, and institutions, both public and private, in providing the services authorized by this Act to eligible individuals, in studying the problems involved therein, and in planning, establishing, developing, and providing such programs, facilities, and services as may be necessary or desirable, including those jointly administered with state agencies;

(b) to enter into reciprocal agreements with other states;

(c) to establish or construct rehabilitation facilities and workshops; to make grants to public agencies; to make contracts or other arrangements with public

and other nonprofit agencies, organizations, or institutions for the establishment of workshops and rehabilitation facilities; and to operate facilities for carrying out the purposes of this Act;

(d) to conduct research and compile statistics relating to the provisions of services to or the need for services by disabled individuals;

(e) to provide for the establishment, supervision, management, and control of small business enterprises to be operated by severely handicapped individuals where their operation will be improved through the management and supervision of the agency; and

(f) to contract with schools, hospitals, private industrial firms, and other agencies and with doctors, nurses, technicians, and other persons for training, physical restoration, transportation, and other rehabilitation services.

Cooperation with the federal government

Sec. 8. The agency shall make agreements, arrangements, or plans to cooperate with the federal government in carrying out the purposes of this Act or of any federal statutes pertaining to rehabilitation, and to this end may adopt such methods of administration as are found by the federal government to be necessary, and not contrary to existing state laws, for the proper and efficient operation of such agreements, arrangements, or plans for rehabilitation.

Obtaining federal funds

Sec. 9. The agency is authorized to comply with such requirements as may be necessary to obtain federal funds in the maximum amount and most advantageous proportion possible.

Finances

Sec. 10. The state treasurer is hereby authorized to receive all monies appropriated by Congress and allotted to Texas for carrying out the purposes of this Act or agreements, arrangements, or plans authorized thereby; and to make disbursements therefrom upon the certification of the Commissioner. All public monies available to the agency shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as provided by law for other public funds in the state treasury. The State Auditor shall regularly audit all accounts established by the Commission in local depositories, to assure that non-public funds made available to the Commission through gift or bequest, by local organizations desiring to participate in projects for the handicapped authorized in Subsection (b) of Section 6 of Article XVI of the Texas Constitution, or by endowment or otherwise, are expended in a manner consistent with the purposes of this Act, and the Commission shall comply with such reporting procedures as the State Auditor might prescribe for the Commission's acceptance, holding, investment and use of non-public funds.

Gifts and donations to the commission

Sec. 11. The commission is authorized to receive and use gifts and donations for carrying out the purposes of this Act. No person shall ever receive any payment for solicitation of any funds.

Unlawful use of lists of names

Sec. 12. It shall be unlawful, except for purposes directly connected with the administration of the rehabilitation program and in accordance with regulations, for any person or persons to solicit, disclose, receive, or make use of, or authorize, knowingly permit, participate in, or acquiesce in the use of any list of, or names of, or any information concerning, persons applying for or receiving rehabilitation, directly or indirectly derived from the records.

Transfer from Central Education Agency

Sec. 13. All functions of the Division of Vocational Rehabilitation and the Division of Disability Determination of the Central Education Agency, together with all personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available are hereby transferred to the agency on September 1, 1969. Wherever under existing statutes, duties, obligations, and responsibilities are placed upon the Division of Vocational Rehabilitation or the Division of Disability Determination of the Central Education Agency or duties, obligations, and responsibilities relating to vocational rehabilitation of the handicapped individual are imposed upon the State Board for Vocational Education, such duties, obligations and responsibilities shall hereafter be assumed and carried out by the commission. All contracts and agreements between the Central Education Agency and the Social Security Administration relating to the activities of the Division of Vocational Rehabilitation and the Division of Disability Determination of the Central Education Agency shall be continued for the benefit of the commission.

Employees membership in retirement systems

Sec. 14. Personnel of the Division of Vocational Rehabilitation and the Division of Disability Determination of the Central Education Agency hereby transferred to the commission shall have the option of retaining membership in the Teacher Retirement System of Texas or becoming members of the Employees Retirement System of Texas under the provisions of Chapter 75, Acts of the 54th Legislature, Regular Session, 1955, as amended. Employees hired after the transfer shall be members of the Employees Retirement System of Texas.

Severability

Sec. 15. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Repealer

Sec. 16. Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as last amended by Section 4, Chapter 291, Acts of the 59th Legislature, Regular Session, 1965 (Article 2675—1, Vernon's Texas Civil Statutes), is repealed.⁸⁸

Effective date

Sec. 17. This Act takes effect on September 1, 1969.

Emergency

Sec. 18. The urgent need to provide as much time as possible before the effective date of this Act for the purpose of planning and bringing about the orderly creation of this new agency creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after September 1, 1969, and it is so enacted.

Passed the Senate on February 25, 1969, by a viva voce vote; March 20, 1969, Senate concurred in House amendments by a viva voce vote; passed the House on March 19, 1969, with amendments, by a non-record vote.

Approved March 27, 1969.

Effective Sept. 1, 1969.

88. Vernon's Ann.Civ.St. art. 2675—1, repealed.

1979
VERNON'S
TEXAS SESSION LAW
SERVICE

Laws 1979
66th LEGISLATURE

REGULAR SESSION

Convened January 9, 1979

Adjourned May 28, 1979

HUMAN RESOURCES CODE
with Index

Acts 1979, 66th Leg., Chapter 842

Approved June 13, 1979

Effective September 1, 1979

ST. PAUL MINN.
WEST PUBLISHING CO.

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SUBCHAPTER A. GENERAL PROVISIONS

Sec. 111.001. Purpose

It is the policy of the State of Texas to provide rehabilitation and related services to eligible handicapped individuals so that they may prepare for and engage in a gainful occupation or achieve maximum personal independence. (Educ.Code, Sec. 30.01.)

Sec. 111.002. Definitions

In this chapter:

(1) "Commission" means the Texas Rehabilitation Commission.

(2) "Commissioner" means the chief administrative officer of the commission.

(3) "Handicapped individual" means any individual, except one whose disability is of a visual nature, who has a disability which constitutes a substantial handicap to employment, or to achieving maximum personal independence, but which is of a nature that rehabilitation services may reasonably be expected to enable the individual to engage in a gainful occupation, including a gainful occupation which is more consistent with his or her capacities and abilities or render the individual fit for self-care and independent living. The term includes an individual for whom rehabilitation services are necessary for the determination of rehabilitation potential. The term also includes individuals disadvantaged by reason of their youth or advanced age, low educational attainments, ethnic or cultural factors, prison or delinquency records, or other conditions that constitute a barrier to employment, and the term may include members of a handicapped individual's family when the provision of rehabilitation services to family members is necessary for the rehabilitation of a handicapped individual.

(4) "Disability" means a physical or mental condition that materially limits, contributes to limiting, or, if not corrected, will probably result in limiting an individual's activities or functioning. It includes behavioral disorders characterized by deviant social behavior or impaired ability to carry out normal relationships with family and community which may result from vocational, educational, cultural, social, environmental, or other factors. The term includes low educational attainment, ethnic or cultural factors, youth or advanced age, or other factors that constitute a barrier to employment or self-care and independent living.

(5) "Substantial handicap to employment" means a disability that impedes an individual's occupational performance by preventing the individual from obtaining, retaining, or preparing for a gainful occupation consistent with the individual's capacities and abilities.

(6) "Rehabilitation services" means any goods and services necessary to enable a handicapped individual to engage in a gainful occupation or independent living, or to determine the individual's rehabilitation potential, and to provide work adjustment, training or adult social services. To enable a handicapped individual to engage in a gainful occupation or independent living, may require the commission to engage in or contract for such activities as outreach, diagnosis and appraisal, treatment, training, job placement or self-employment, guidance, and counseling. Services may include maintenance, transportation, and training allowances, not exceeding the estimated cost of subsistence during rehabilitation, for the handicapped indi-

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**TITLE 7. REHABILITATION OF HANDICAPPED
AND DISABLED**

CHAPTER 111. TEXAS REHABILITATION COMMISSION

SUBCHAPTER A. GENERAL PROVISIONS

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- 111.001. Purpose.
- 111.002. Definitions.

[Sections 111.003-111.010 reserved for expansion]

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- 111.081. Authority.
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employees required to efficiently carry out the purposes of this chapter. (Educ.Code, Sec. 30.11.)

Sec. 111.012. Application of Sunset Act

The Texas Rehabilitation Commission is subject to the Texas Sunset Act (Art. 5429k, Vernon's Texas Civil Statutes); and unless continued in existence as provided by that Act the commission is abolished and this chapter expires effective September 1, 1985. (Educ.Code, Sec. 30.111.)

Sec. 111.013. Composition of Board; Appointment; Terms

(a) The board of the Texas Rehabilitation Commission is composed of six members appointed by the governor with the advice and consent of the senate. Members serve for staggered terms of six years with the terms of two members expiring every two years.

(b) Appointees must be outstanding citizens of the state who have demonstrated a constructive interest in rehabilitation services. No paid employee of an agency carrying on work for the commission is eligible for appointment, nor is a person who owns or is employed by an organization providing rehabilitation services or related services through the commission.

(c) The governor shall designate one board member as presiding officer. (Educ.Code, Sec. 30.12.)

Sec. 111.014. Meetings

The board shall meet quarterly in regular session and on call by the presiding officer when necessary for the transaction of agency business. (Educ.Code, Sec. 30.13.)

Sec. 111.015. Expenses

Board members serve without compensation but are entitled to reimbursement for actual and necessary expenses incurred in the discharge of their official duties. (Educ.Code, Sec. 30.14.)

Sec. 111.016. Advisory Committees

(a) The board may appoint an advisory committee to make recommendations for consideration by the board concerning any matter that the advisory committee believes to be pertinent to the purposes of this chapter.

(b) The advisory committee is composed of nine members appointed by the board. Committee members serve for staggered terms of three years with the terms of three members expiring each year.

(c) The advisory committee shall meet at least once in each calendar quarter and may meet on call of the board.

(d) The members of the advisory committee serve without compensation but are entitled to reimbursement for actual and necessary expenses incurred in attending the official meetings of the advisory committee.

(e) To be eligible for appointment to the advisory committee a person must have demonstrated an active and constructive interest in the rehabilitation of handicapped people.

(f) The board may also create from time to time additional technical advisory committees necessary to achieve the purposes of this chapter. The members of the committees serve without compensation unless compensation is specifically provided for by appropriation. (Educ.Code, Sec. 30.15.)

Sec. 111.017. Commissioner

This chapter is administered by the commissioner under operational policies established by the board. The commissioner is appointed by the board on the basis of education, training, experience, and demonstrated ability. The commissioner serves at the pleasure of the board and is sec-

vidual as well as members of the individual's family when necessary for the rehabilitation of the handicapped individual.

(7) "Gainful occupation" includes employment in the competitive labor market; practice of a profession; self-employment; homemaking, farm, or family work (including work for which payment is in kind rather than in cash); sheltered employment; and home industries or other gainful homebound work.

(8) "Establishment of a rehabilitation facility" means:

(A) the expansion, remodeling, or alteration of existing buildings necessary to adapt or increase the effectiveness of the buildings for rehabilitation facility purposes;

(B) the acquisition of initial equipment for those purposes;

or

(C) the initial staffing of a rehabilitation facility.

(9) "Establishment of a workshop" means the expansion, remodeling, or alteration of existing buildings necessary to adapt the buildings to workshop purposes or to increase the employment opportunities in workshops, and the acquisition of initial equipment necessary for new workshops or to increase the employment opportunities in workshops.

(10) "Construct" includes construction of new buildings, acquisition of existing buildings, and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of new, newly acquired, expanded, remodeled, altered, or renovated buildings.

(11) "Extended rehabilitation services" means supplying rehabilitation services to:

(A) a mentally or physically handicapped person beyond a period of 18 months from the initial date that eligibility to receive vocational rehabilitation services was determined; or

(B) mentally or physically handicapped persons who were not eligible for vocational rehabilitation services under laws and regulations in effect before April 2, 1969, and who can now benefit from the provisions of this chapter.

(12) "Extended sheltered workshop employment" means employment in a sheltered workshop of persons with mental or physical handicaps that render the persons incapable of competing in the open or customary labor market.

(13) "Extended community residence" means a group living arrangement providing the essentials of community living, such as room, board, clothing, evening and nighttime supervision, recreational activities, and transportation to and from work for persons living therein who are in extended sheltered workshop employment or who, while physically or mentally handicapped, are employed in the open or customary labor market.

(14) "Sheltered workshop" means an occupation-oriented facility operated by a nonprofit agency, public or private, which except for its staff, employs only mentally or physically handicapped persons. (Educ.Code, Secs. 30.02, 30.71.)

[Sections 111.003-111.010 reserved for expansion]

SUBCHAPTER B. ADMINISTRATIVE PROVISIONS

Sec. 111.011. Texas Rehabilitation Commission

The Texas Rehabilitation Commission is composed of the board of the Texas Rehabilitation Commission, a commissioner, and other officers and

through public or private resources to individuals determined by the commissioner to be eligible for the services.

(b) In carrying out the purposes of this chapter, the commission may:

(1) cooperate with other departments, agencies, political subdivisions, and institutions, both public and private, in providing the services authorized by this chapter to eligible individuals, in studying the problems involved, and in planning, establishing, developing, and providing necessary or desirable programs, facilities, and services, including those jointly administered with state agencies;

(2) enter into reciprocal agreements with other states;

(3) establish or construct rehabilitation facilities and workshops, make grants to public agencies, make contracts or other arrangements with public and other nonprofit agencies, organizations, or institutions for the establishment of workshops and rehabilitation facilities, and operate facilities for carrying out the purposes of this chapter;

(4) conduct research and compile statistics relating to the provision of services to or the need for services by disabled individuals;

(5) provide for the establishment, supervision, management, and control of small business enterprises to be operated by severely handicapped individuals where their operation will be improved through the management and supervision of the commission; and

(6) contract with schools, hospitals, private industrial firms, and other agencies and with doctors, nurses, technicians, and other persons for training, physical restoration, transportation, and other rehabilitation services. (Educ.Code, Sec. 30.42.)

Sec. 111.053. Cooperation With the Federal Government

The commission shall make agreements, arrangements, or plans to cooperate with the federal government in carrying out the purposes of this chapter or of any federal statutes pertaining to rehabilitation, and to this end may adopt methods of administration that are found by the federal government to be necessary, and that are not contrary to existing state laws, for the proper and efficient operation of the agreements, arrangements, or plans for rehabilitation. (Educ.Code, Sec. 30.43.)

Sec. 111.054. Obtaining Federal Funds

The commission may comply with any requirements necessary to obtain federal funds in the maximum amount and most advantageous proportion possible. (Educ.Code, Sec. 30.44.)

Sec. 111.055. Finances

The state treasurer may receive money appropriated by congress and allotted to Texas for carrying out the purposes of this chapter or authorized agreements, arrangements, or plans, and may make disbursements on the certification of the commissioner. All public money available to the commission must be deposited, administered, and disbursed in the same manner and under the same conditions and requirements required by law for other public funds in the state treasury. The state auditor shall regularly audit all accounts established by the commission in local depositories to assure that nonpublic funds made available to the commission through gift or bequest, by local organizations desiring to participate in projects for the handicapped authorized in Article XVI, Section 6, Subsection (b), of the Texas Constitution, or by endowment or other means, are expended in a manner consistent with the purposes of this chapter. The commission shall comply with the reporting procedures prescribed by the state auditor for the commission's acceptance, holding, investment, and use of nonpublic funds. (Educ.Code, Sec. 30.45.)

retary to the board, as well as chief administrative officer of the agency. (Educ.Code, Sec. 30.16.)

Sec. 111.018. Administrative Regulations

In carrying out his or her duties under this chapter, the commissioner shall, with the approval of the board, make regulations governing personnel standards, the protection of records and confidential information, the manner and form of filing applications, eligibility, investigation, and determination for rehabilitation and other services, procedures for hearings, and other regulations as necessary to carry out the purposes of this chapter. (Educ.Code, Sec. 30.17.)

Sec. 111.019. Planning

The commissioner shall, with the approval of the board, make long-range and intermediate plans for the scope and development of the program and make decisions regarding the allocation of resources in carrying out the plans. (Educ.Code, Sec. 30.18.)

Sec. 111.020. Administrative Units; Personnel

(a) The commissioner shall, with the approval of the board, establish appropriate subordinate administrative units.

(b) The commissioner shall under personnel policies adopted by the board, appoint the personnel necessary for the efficient performance of the functions of the agency. (Educ.Code, Sec. 30.19.)

Sec. 111.021. Reports

The commissioner shall prepare and submit to the board annual reports of activities and expenditures and, prior to each regular session of the legislature, estimates of funds required for carrying out the purposes of this chapter, and, with the approval of the board, shall submit the reports to the governor and the legislature. (Educ.Code, Sec. 30.20.)

Sec. 111.022. Disbursement of Funds

The commissioner shall make certification for disbursement, in accordance with regulations, of funds available for carrying out the purposes of this chapter. (Educ.Code, Sec. 30.21.)

Sec. 111.023. Other Duties

The commissioner shall take other action as necessary or appropriate to carry out the purposes of this chapter. (Educ.Code, Sec. 30.22.)

Sec. 111.024. Delegation to Employees

The commissioner may, with the approval of the board, delegate to any officer or employee of the commission those powers and duties, except the making of regulations and the appointment of personnel, the commissioner finds necessary to carry out the purposes of this chapter. (Educ. Code, Sec. 30.23.)

[Sections 111.025-111.050 reserved for expansion]

SURCHAPTER C. POWERS AND DUTIES OF COMMISSION

Sec. 111.051. Commission as Principal Authority

The Texas Rehabilitation Commission is the principal authority in the state on rehabilitation of handicapped and disabled individuals, except for those matters relating to individuals whose handicaps or disabilities are of a visual nature. All other state agencies engaged in rehabilitation activities and related services to individuals whose handicaps or disabilities are not of a visual nature shall coordinate those activities and services with the commission. (Educ.Code, Sec. 30.41.)

Sec. 111.052. General Functions

(a) The agency shall, to the extent of resources available and priorities established by the board, provide rehabilitation services directly or

Sec. 111.056. Gifts and Donations to the Commission

The commission may receive and use gifts and donations for carrying out the purposes of this chapter. No person may receive payment for solicitation of any funds. (Educ.Code, Sec. 30.46.)

Sec. 111.057. Unlawful Use of Lists of Names

Except for purposes directly connected with the administration of the rehabilitation program and in accordance with regulations, it is unlawful for a person to solicit, disclose, receive, or make use of, or authorize, knowingly permit, participate in, or acquiesce in the use of any list of, names of, or any information directly or indirectly derived from records concerning persons applying for or receiving rehabilitation. (Educ. Code, Sec. 30.47.)

[Sections 111.058-111.080 reserved for expansion]

SUBCHAPTER D. EXTENDED REHABILITATION SERVICES

Sec. 111.081. Authority

The commission may plan, institute, support, and maintain programs of extended rehabilitation, including extended employment in a sheltered workshop and extended community residence. (Educ.Code, Sec. 30.72.)

Sec. 111.082. Administration

The commission may contract with any nonprofit agency, public or private, for the provision of any extended rehabilitation services, including extended sheltered workshop employment or extended community residence for persons participating in vocational rehabilitation, and pay for the services purchased for the state. (Educ.Code, Sec. 30.73.)

Sec. 111.083. Participant Contributions

A handicapped person in vocational rehabilitation and living in an extended community residence facility operated by a nonprofit agency that has a contract under this subchapter shall contribute to the agency a portion of his or her personal earnings, if any. The commission by rule shall determine the portion of the person's earnings that must be contributed, after deductions for personal use. The earnings contributions made under this section must be credited to the state in arriving at the net sums due to the agency contracting with the state to furnish services. (Educ.Code, Sec. 30.74.)

Sec. 111.084. Standards

The commission shall establish standards of staffing, physical plant, and services required for the operation of facilities of nonprofit agencies furnishing services under this subchapter by contract with the state. A contract entered into by the state under this subchapter is subject to cancellation by the state for cause at any time by the issuance of written notice of cancellation by the state to the contracting agency at least 30 days in advance of the date of cancellation. (Educ.Code, Sec. 30.75.)

Sec. 111.085. Quarterly Payments

From funds available for the purpose, the commission shall pay a nonprofit agency on a quarterly basis an amount equal to not less than:

(1) \$3 for each six-hour working day for each client in a sheltered workshop; and

(2) \$85 per month for each client in an extended community residence. (Educ.Code, Sec. 30.76.)

Sec. 111.086. Funds; Rules

The commission may receive and expend funds from any source, public or private, for the purposes set forth in this subchapter, and shall establish rules for the conduct and control of the programs authorized by this subchapter. A nonprofit agency operating an extended community residence facility under this subchapter shall file annually its budget showing salaries paid and expenditures with the office of the state auditor. (Educ.Code, Sec. 30.77.)



Public Law 91-230
91st Congress, H. R. 514
April 13, 1970

An Act

To extend programs of assistance for elementary and secondary education, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

POLICY WITH RESPECT TO THE APPLICATION OF CERTAIN PROVISIONS OF FEDERAL LAW

SEC. 2. (a) It is the policy of the United States that guidelines and criteria established pursuant to title VI of the Civil Rights Act of 1964 and section 182 of the Elementary and Secondary Education Amendments of 1966 dealing with conditions of segregation by race, whether de jure or de facto, in the schools of the local educational agencies of any State shall be applied uniformly in all regions of the United States whatever the origin or cause of such segregation.

(b) Such uniformity refers to one policy applied uniformly to de jure segregation wherever found and such other policy as may be provided pursuant to law applied uniformly to de facto segregation wherever found.

(c) Nothing in this section shall be construed to diminish the obligation of responsible officials to enforce or comply with such guidelines and criteria in order to eliminate discrimination in federally-assisted programs and activities as required by title VI of the Civil Rights Act of 1964.

(d) It is the sense of the Congress that the Department of Justice and the Department of Health, Education, and Welfare should request such additional funds as may be necessary to apply the policy set forth in this section throughout the United States.

Elementary and secondary education assistance programs, extension.

78 Stat. 252.
42 USC 2000d.
80 Stat. 1209;
81 Stat. 787.
42 USC 2000d-5.

Uniformity.

Compliance.

Additional funds.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

PART A—AMENDMENTS TO TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (EDUCATION OF DISADVANTAGED CHILDREN)

EXTENSION OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 101. (a) Section 102 of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1973".

(b) The third sentence of section 103(a)(1)(A) of such title I is amended by striking out "the fiscal year ending June 30, 1969," and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1972,".

(c) Section 121(d) of such title I is amended by striking out "each" where it appears after "\$50,000,000" and by striking out "the succeeding fiscal year" and inserting in lieu thereof "for each of the succeeding fiscal years ending prior to July 1, 1973".

79 Stat. 27;
81 Stat. 813.
20 USC 241b.
81 Stat. 783.
20 USC 241c.

81 Stat. 786,
787.
20 USC 241h-1.

STUDY OF ALLOCATION OF FUNDS

SEC. 102. (a) The Commissioner of Education shall make a study of the allocation of sums appropriated for the purposes of title I of the Elementary and Secondary Education Act of 1965 and of the effectiveness of the various provisions of such title in making funds

84 STAT. 121
84 STAT. 122

79 Stat. 27;
81 Stat. 787.
20 USC 241a
note.

viding referral services to parents, teachers, and other persons especially interested in the handicapped.

TRAINING OF PHYSICAL EDUCATORS AND RECREATION PERSONNEL FOR
HANDICAPPED CHILDREN

SEC. 634. The Commissioner is authorized to make grants to institutions of higher education to assist them in providing training for personnel engaged or preparing to engage in employment as physical educators or recreation personnel for handicapped children or as educators or supervisors of such personnel, or engaged or preparing to engage in research or teaching in fields related to the physical education or recreation of such children.

REPORTS

SEC. 635. Each recipient of a grant under this part during any fiscal year shall, after the end of such fiscal year, submit a report to the Commissioner. Such report shall be in such form and detail and contain such information as the Commissioner determines to be appropriate.

AUTHORIZATION OF APPROPRIATIONS

SEC. 636. There are authorized to be appropriated for carrying out this part, \$69,500,000 for the fiscal year ending June 30, 1971, \$87,000,000 for the fiscal year ending June 30, 1972, and \$103,500,000 for the fiscal year ending June 30, 1973.

PART E—RESEARCH IN THE EDUCATION OF THE HANDICAPPED
RESEARCH AND DEMONSTRATION PROJECTS IN EDUCATION OF HANDICAPPED
CHILDREN

SEC. 641. The Commissioner is authorized to make grants to States, State or local educational agencies, institutions of higher education, and other public or nonprofit private educational or research agencies and organizations, and to make contracts with States, State or local educational agencies, institutions of higher education, and other public or private educational or research agencies and organizations, for research and related purposes and to conduct research, surveys, or demonstrations, relating to education of handicapped children.

RESEARCH AND DEMONSTRATION PROJECTS IN PHYSICAL EDUCATION AND
RECREATION FOR HANDICAPPED CHILDREN

SEC. 642. The Commissioner is authorized to make grants to States, State or local educational agencies, institutions of higher education, and other public or nonprofit private educational or research agencies and organizations, and to make contracts with States, State or local educational agencies, institutions of higher education, and other public or private educational or research agencies and organizations, for research and related purposes relating to physical education or recreation for handicapped children, and to conduct research, surveys, or demonstrations relating to physical education or recreation for handicapped children.

PANELS OF EXPERTS

SEC. 643. The Commissioner shall from time to time appoint panels of experts who are competent to evaluate various types of research or

Evaluation
prior to grant.

demonstration projects under this part, and shall secure the advice and recommendations of one such panel before making any grant under this part.

AUTHORIZATION OF APPROPRIATIONS

Sec. 644. There are hereby authorized to be appropriated \$27,000,000 for the fiscal year ending June 30, 1971, \$35,500,000 for the fiscal year ending June 30, 1972, and \$45,000,000 for the fiscal year ending June 30, 1973, for carrying out the provisions of this part.

PART F—INSTRUCTIONAL MEDIA FOR THE HANDICAPPED

PURPOSE

Sec. 651. (a) The purposes of this part are to promote—

(1) the general welfare of deaf persons by (A) bringing to such persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons, (B) providing through these films enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (C) providing a wholesome and rewarding experience which deaf persons may share together; and

(2) the educational advancement of handicapped persons by (A) carrying on research in the use of educational media for the handicapped, (B) producing and distributing educational media for the use of handicapped persons, their parents, their actual or potential employers, and other persons directly involved in work for the advancement of the handicapped, and (C) training persons in the use of educational media for the instruction of the handicapped.

CAPTIONED FILMS AND EDUCATIONAL MEDIA FOR HANDICAPPED PERSONS

Loan
service.

Sec. 652. (a) The Commissioner shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for nonprofit purposes to handicapped persons, parents of handicapped persons, and other persons directly involved in activities for the advancement of the handicapped in accordance with regulations.

(b) The Commissioner is authorized to—

(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

(2) acquire by lease or purchased equipment necessary to the administration of this part;

(3) provide for the captioning of films;

(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the handicapped and such other agencies as the Commissioner may deem appropriate to serve as local or regional centers for such distribution;

(5) provide for the conduct of research in the use of educational and training films and other educational media for the handicapped, for the production and distribution of educational and training films and other educational media for the handicapped and the training of persons in the use of such films and media, including the payment to those persons of such stipends (including allowances for travel and other expenses of such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs;

- (6) utilize the facilities and services of other governmental agencies; and
- (7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

NATIONAL CENTER ON EDUCATIONAL MEDIA AND MATERIALS FOR THE HANDICAPPED

SEC. 653. (a) The Secretary is authorized to enter into an agreement with an institution of higher education for the establishment and operation of a National Center on Educational Media and Materials for the Handicapped, which will provide a comprehensive program of activities to facilitate the use of new educational technology in education programs for handicapped persons, including designing and developing, and adapting instructional materials, and such other activities consistent with the purposes of this part as the Secretary may prescribe in the agreement. Such agreement shall—

Establishment.

- (1) provide that Federal funds paid to the Center will be used solely for such purposes as are set forth in the agreement;
 - (2) authorize the Center, subject to the Secretary's prior approval, to contract with public and private agencies and organizations for demonstration projects; and
 - (3) provide for an annual report on the activities of the Center which will be transmitted to the Congress.
- (b) In considering proposals from institutions of higher education to enter into an agreement under this subsection, the Secretary shall give preference to institutions—
- (1) which have demonstrated the capabilities necessary for the development and evaluation of educational media for the handicapped; and
 - (2) which can serve the educational technology needs of the Model High School for the Deaf (established under Public Law 89-694).

Report to Congress.

AUTHORIZATION OF APPROPRIATIONS

SEC. 654. For the purpose of carrying out this part, there are hereby authorized to be appropriated not to exceed \$12,500,000 for the fiscal year ending June 30, 1971, \$15,000,000 for the fiscal year ending June 30, 1972, and \$20,000,000 for the fiscal year ending June 30, 1973, and each succeeding fiscal year thereafter.

80 Stat. 1021.
D.C. Code 31-1051 note.

PART G—SPECIAL PROGRAMS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES

RESEARCH, TRAINING, AND MODEL CENTERS

SEC. 661. (a) The Commissioner is authorized to make grants to, and contracts with, institutions of higher education, State and local educational agencies, and other public and private educational and research agencies and organizations (except that no grant shall be made other than to a nonprofit agency or organization) in order to carry out a program of—

- (1) research and related purposes relating to the education of children with specific learning disabilities;
- (2) professional or advanced training for educational personnel who are teaching, or are preparing to be teachers of, children with specific learning disabilities, or such training for persons who are, or are preparing to be, supervisors and teachers of such personnel; and



From the desk of

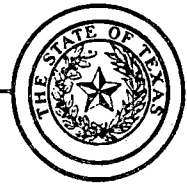
HELEN GOODMAN

Lee:

We missed
you! Need you
at these meetings.

HG

Texas Rehabilitation Commission



COMMISSIONER FOR REHABILITATION W. K. Harvey, Jr.

March 19, 1979

BOARD MEMBERS

John D. Simpson, Jr.
CHAIRMAN

Mrs. Marjorie C. Kastman
VICE CHAIRMAN

John T. Bean
SECRETARY

Jack B. Dale, Jr.
J. E. Miller, M.D.

TO: MEMBERS, CONSUMER CONSULTATION
COMMITTEE

FROM: Helen Goodman

SUBJECT: Minutes of Consumer Consultation Committee,
February 15 and 16, 1979

You will find enclosed a copy of the Minutes of the
Consumer Consultation Committee meeting held in Austin
February 15 and 16, 1979.

If you have any corrections or suggestions, please let
me know.

Sincerely,

A handwritten signature in cursive script that reads "Helen Goodman".

Helen Goodman
Administrative Assistant
to the Commissioner

encl.

MINUTES
OF THE
TEXAS REHABILITATION COMMISSION
CONSUMER CONSULTATION COMMITTEE

The Texas Rehabilitation Commission Consumer Consultation Committee met in a Regular Meeting on February 15 and 16, 1979, in the Commissioner's Conference Room, 118 East Riverside Drive, Austin, Texas. The meeting was called to order at 1:00 p.m. on February 15, with the following members present:

PRESIDING: Bob Blase, Chairman

PRESENT: Helen Goodman, Staff Coordinator

J. A. Abernathy
Don Culwell
Earl Day
Bob Dickson
Betty Ellis
Wyatt Hall

Shelly Liss, M.D.
Tom Morrison
Shirley Price
M. C. Schlecte, M.D.
Barbara Trusler
Jane Butler Woolsey

ABSENT: Lex Frieden
Jim Grey
Sam Millsap

Jack Northrup
Merle Springer

STAFF MEMBERS PRESENT: W. K. Harvey, Jr.
Max Arrell
Edward W. Austin
John Fenoglio
Jimmy Jackson

Richard Phelan
Milton Werner
Doyle Wheeler
Carol Whitcraft, Ph.D.
Lois Cooper

INTERPRETERS: Debbie Cearly
Vickie Cook
Susan Heath

Donna Alexander
Nancy Higgs
Daisy Palmer

VISITORS: Lynette Randolph
Ray Trusler
C. A. Woolsey

John Halloran
Jackson King

MINUTES OF THE
TEXAS REHABILITATION COMMISSION
CONSUMER CONSULTATION COMMITTEE
February 15 and 16, 1979

Chairman Blase called the meeting to order and welcomed the group. He stated that the Committee is stabilized at 18 members under a rotation plan. New members were present, and everyone was asked to introduce themselves.

APPROVAL OF MINUTES OF MEETING ON OCTOBER 18 AND 19, 1978

Chairman Blase asked if the Committee wished to accept the Minutes of the October 18 and 19, 1978 meeting as presented, or if discussion was needed. Don Culwell moved the Minutes be approved. Bob Dickson seconded, and the motion carried.

REPORT OF THE COMMISSIONER

Mr. Harvey said that in planning the agenda for this meeting, it was felt appropriate that the four items involving the Federal government be discussed. "We want to share material we have, and sincerely want to get this Committee involved."

Because of the escalation of cost of services, this is a most difficult time to try to match resources to the needs of those we are responsible to serve. There is a need to develop more meaningful guidances in resolution of problems, setting priorities, and using monies as wisely as possible.

Mr. Harvey illustrated the monies involved in the Rehabilitation Amendments of 1978 and what the President has requested, showing figures for Basic Support, Innovative Expansion, and Independent Living for 1979 through 1982.

The Independent Living Program was explained fully and the budgetary problems discussed. Under new legislation, we would develop an Independent Living Program which would enable severely disabled persons to reach a point of the most independence they can achieve.

When copies of the proposed regulations are received from the Rehabilitation Services Administration, they will be shared with the Committee for their recommendations.

1978 AMENDMENTS TO THE REHABILITATION ACT OF 1973

Edward W. Austin, Assistant Commissioner for Legal Services, discussed selected provisions of the 1978 Amendments to the Rehabilitation Act of 1973. He pointed out that the 1978 Amendments, while amending the Rehabilitation Act of 1973 which contains the traditional basic vocational rehabilitation program, also added a new program known as the Comprehensive Services for Independent Living and contained amendments to the Developmental Disabilities Services and Construction Act. He focused attention on those provisions of direct impact on the Commission.

Under the new Act, the authority of the Commissioner of the Rehabilitation Administration has been greatly enhanced and he has assumed the approval authority in many instances which formerly rested with the Secretary of the Department of Health, Education, and Welfare. There is a basic restriction placed on this exercise of authority because the new Act provides that in carrying out any of his functions under the new Act, the Commissioner shall be guided by general policies of the National Council on the Handicapped. This new Council is a powerful body consisting of 15 members appointed by the President and confirmed by the Senate. It is made up of similar representation as this Consultation Committee with at least five members required

to be handicapped individuals or parents or guardians of handicapped individuals.

Mr. Austin pointed out that the new Act contains two definitions of "handicapped individual." One definition is used with reference to eligibility for VR services and means "any individual who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment and can reasonably be expected to benefit in terms of employability from vocational rehabilitation services."

The other definition is "any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such an impairment, or is regarded as having such an impairment." The latter definition is used with reference to the protections afforded a handicapped individual under Section 503 of Title V which places a responsibility on any government contractor to take affirmative action to employ and advance in employment qualified handicapped individuals. This definition is also applicable to Section 504 of Title V which prohibits discrimination by reason of handicap under any program or activity receiving federal assistance. The Commission, because of its federal contract for disability determinations, comes under Section 503, and as a result of its administration of the vocational rehabilitation program, also comes under Section 504.

The Commission Affirmative Action Plan insures nondiscrimination both in the provision of services to the handicapped and in employment of the handicapped. At this point, Mr. Austin discussed other federal laws and regulations which place an obligation on the Commission to insure equal employment opportunity for various protected groups; i. e., minorities, older workers, females, veterans, etc.

Mr. Austin discussed the evaluation of the administration of the vocational rehabilitation program required of the Secretary by Congress and noted the evaluation

must be conducted by persons not immediately involved in the administration of the vocational rehabilitation program.

Mr. Austin discussed the establishment of a federal clearinghouse for information and resource availability for handicapped individuals providing a wide range of information and data which the Secretary is authorized to establish.

The new three-year state plan of vocational rehabilitation agencies was outlined and the committee members were directed to the Act which had been provided them for details as to the wide spectrum of responsibilities and commitments made by the Commission under the state plan whose approval is a prerequisite to federal funding.

The attention of the committee was directed to a change in the client appeal procedure. A new provision requires that Commissioner Harvey must personally make the final decision with reference to a grievance expressed by an applicant for VR services or a client of the Commission. In addition, a new right of appeal from Mr. Harvey's decision to the Secretary of Health, Education, and Welfare has been provided.

The new Act provides for the use of the Consumer Price Index in the allotment formula for the allocation of funds to the states. The purpose for inclusion of the Consumer Price Index in the allotment formula was to overcome the hardship imposed through inflation and its attendant decreasing purchasing power of the dollar. Mr. Austin noted that President Carter's budget proposes to eliminate the Consumer Price Index feature.

Additional topics covered by Mr. Austin included research and training, loan guarantees for rehabilitation facilities, and Comprehensive Rehabilitation Centers.

In closing, Mr. Austin suggested that the full significance and meaning of the statutory provisions can only be determined when the regulations implementing the new Act are published. These cannot be expected until June.

John Fenoglio, Assistant Deputy Commissioner, General Programs, introduced John Halloran, Regional Director from San Antonio; and Jackson King, Regional Director from Lubbock, who had joined the meeting. Mr. Fenoglio had just left a meeting of all the Regional Directors which concerned the present financial condition of the Commission. One focus was expenditures for individuals who because of Social Security and related benefits cannot be rehabilitated in the sense of the word that they can work and earn a reasonable living and pay for the extraordinary expenses with which they are faced. Clients are not in a position to earn sufficient monies to pay for attendant care, transportation, medical needs, etc. Disincentives are serious detriments to these individuals. We are facing the awesome decision of closing these cases and saying it is not appropriate to expend rehabilitation dollars because of the implications such expenditures may have on their benefits. Rehabilitation and independence and becoming disassociated from Social Security is not feasible in these catastrophic cases. The Counselors have to decide when, how, and who is entitled to rehabilitation services. They have to decide who gets rehabilitation and who doesn't. We must become more and more dependent on you, this Committee, to decide how to use our dollars more efficiently. Representatives of the medical community, consumer community, and other related rehabilitation professionals need to assist in making these decisions.

Mr. Fenoglio gave an example, using two quadriplegics, one with a 10th grade education and one with a Master's Degree. Our problem is which one to choose to help? We need the help of this Committee with these decisions.

Max Arrell, Deputy Commissioner, Special Programs, said he is a member of Advisory Councils for Mental Health/Mental Retardation, Disability Determination, and the Alcoholism Commission and that everyone is going through the same thing--

everyone is strapped for funds. It is important that this Committee understand and help us utilize resources as best we can.

Mr. Culwell stated that in view of law offenders, we need to reevaluate where our dollars go.

Max Arrell replied that interpretation of regulations depends on how much money is available. We are encouraged to work with public offenders, but as money gets tighter, we feel they should be placed in a "less need" category. Most will go to work some place, they can be trained, they need a personality change, but our agency cannot give them all they need. Individual cases are being reviewed. Should the public offender program be discontinued? We are in the process of evaluating the behavior disorder program.

Quoting from the Rehabilitation Act of 1973, Mr. Harvey said, "No one shall be denied services." Never before in the history of the State-Federal Rehabilitation Program has the opportunity been greater than now to employ imaginative and innovative approaches in the delivery of services to rehabilitation clients. Inflation has diminished our financial capacity to meet the demands for case services to the point that if we are to maintain even the current level of services we must find and utilize other resources that may be available. We have to get away from providing everything from case funds, but must continue to serve the severely disabled.

In other discussion, Wyatt Hall mentioned that we shouldn't look only to TRC as a source of funds. The Veterans Administration and other resources should be utilized. He suggested removing the savings accounts in halfway houses. In his facility he insists on parental participation. The parents provide monthly spending allowances until the child is employed.

Max Arrell commended Mr. Hall's facility. It is not listed as a nonprofit organization but as a private facility. It is the only such facility he knows of that is not asking for tax exemption.

Shirley Price was asked to summarize her involvement with TRC. She cited some experiences from an early age, through college to a Master's Degree, and to her position with NASA. She has referred clients to TRC and has had firsthand experiences with job disincentives.

Bob Blase complimented the TRC staff members for the informative reports and materials presented.

The meeting adjourned at 4:30 p.m. until the following morning.

Dr. Carol Whitcraft, Director of Research and Statistics, spoke to the Committee concerning a survey her department conducted with a 10% sample of all closed cases to learn what happened to them and other effects rehabilitation services had on their lives. Her office is also conducting a study for Dr. Schlecte of all clients who have had coronary bypass operations within the past three years. The survey will determine if the clients are employed, unemployed, looking for work, etc. So far, they are finding that a high proportion is employed. The results of this survey will also be available to the Committee.

Dr. M. C. Schlecte, Administrative Medical Consultant, told the Committee that many counselors coming into the agency have had training in the humanities but have not had training in the medical aspects of rehabilitation. For the past few years, some medical in-house training workshops titled Basic Medical Aspects and Advanced Medical Aspects have been conducted. The training concerns the normal

human body and how it becomes handicapped because of disease or injury. Dr. Schlecte works with associations and groups in the state and nation for the mutual exchange of information which has resulted in this training for counselors. There is a need for a medically oriented book which would relate to the handicapping aspects of disabilities, but this would be very difficult to develop because of the vast knowledge that exists in this field.

SUBCOMMITTEE REPORTS TO THE FULL COMMITTEE

ISSUES AND STUDIES SUBCOMMITTEE

In regard to those major problems presented by TRC staff during the discussion on Thursday, February 15, 1979, the Issues and Study Subcommittee feels that the three primary areas of concern are:

1. Efficient use of agency funds.
2. Setting priorities of various TRC programs.
3. Insuring vocational productivity.

With these major focuses, the following recommendations for implementation and further study were made:

- 1a. Development of a directory listing major resources for alternate funding in all areas of TRC services.
- 1b. Institution of an inservice education program for TRC counselors and other appropriate personnel in the use of the directory.
- 1c. Assign personnel out of Central Office the duties of clarifying, promoting, and assisting the counselors in making applications for clients.

2. Provide research funds for a study to measure the impact of TRC programs on the lives and vocational pursuits of 26 closures in all program categories to be conducted by an academic group in the field of sociology or anthropology. Results of this study would be used to assist in setting future program priorities.
3. Development of written materials by the office of the State Medical Consultant concerning methodology of evaluating vocational potential in each major diagnostic category and conduct inservice education in the use of these materials for TRC counselors.

POSITION PAPERS SUBCOMMITTEE

The Position Papers Subcommittee discussed their role and responsibilities in developing position papers for the Consumer Consultation Committee and how proposed position papers could be disseminated to subcommittee members and finally to the Consultation Committee.

A motion was made that the position on issues be that once the Commissioner adopts a position, then that position will be supported. The motion was amended and passed to neither adopt nor publish any minority opinions relative to papers published by this subcommittee.

The importance of good communication between subcommittees was stressed.

The publication, Rehabilitation Proposals for Legislation Concerning SSDI and SSI, was discussed at length by the subcommittee and also with the author. A motion was made and passed that the subcommittee endorse and support the Commission's paper with clarification of the terminology on severely disabled and proposing a definition based on functional disability.

A third motion, that the subcommittee support Commissioner Harvey's letter of January 9, 1979, to Mr. Robert R. Humphreys, was also passed.

The importance of various handicapped groups uniting to deal with the political system was stressed. The potential strength in such a union was explained, and it was pointed out that splintered interest groups tend to prevent unified effort on behalf of the handicapped.

When the full Committee reconvened, Mr. Harvey stated that TRC will be glad to send out problems for discussion two weeks in advance. We are attempting to develop the capacity to do long-range planning in the Commission and within Committees working with the Commission.

On talking with Joe Owens in Washington, Mr. Harvey asked for more information as to what might be done toward funding the Independent Living Program. There is more mechanism than ever before and there has been a unified effort as related to Independent Living from all disabled categories. A concerted effort is being made to the appropriations committees stating their position in a coalition that has not existed in the past.

Bob Blase asked if the full Committee wanted to endorse what has been adopted by the subcommittees. Barbara Trusler made a motion, Wyatt Hall seconded, and the motion carried.

Max Arrell introduced Jimmy Jackson. Mr. Jackson indicated that he had been meeting with the Regional Directors for the past two days, at which time the subject of conservation of funds was heavily emphasized. In reviewing case folders in the field, it has been determined that some clients whose eligibility is highly questionable are being served. To be sure the Commission is serving only those individuals who meet

the eligibility criteria, training packages dealing with the basics of rehabilitation have been developed for field usage. These training exercises primarily emphasize, (1) the acquiring of adequate diagnostic information, (2) identifying the disability, (3) showing how the disability constitutes a vocational handicap, and (4) meaningful and appropriate services being provided the client. In providing services to all clients, the TRC counselors and field supervisors are being asked to be certain that every available economic resource is being utilized prior to the expenditure of Commission funds.

Bob Blase said there are two words about what Mr. Harvey is addressing to the Committee that have not been laid that successfully before the group. Mr. Harvey is trying to establish an open administration. That is why the Committee is involved here, awaiting to be asked to take part in this. The Committee will have to help determine how funds can best be used, and it is thankful to be a part of this project. Mr. Blase felt he was speaking for all the Committee in offering to help in any way possible between now and the next meeting.

There being no further business, the meeting adjourned at 11:40 a.m.

BYLAWS

TEXAS REHABILITATION COMMISSION CONSUMER CONSULTATION COMMITTEE

Article I: Name and Purpose

Section 1: Name

The name of this organization shall be "Texas Rehabilitation Commission Consumer Consultation Committee", hereafter called "the Committee".

Section 2: Purpose

The Texas Rehabilitation Commission desires to have the views of individuals who are:

1. Recipients of rehabilitation services, or as appropriate, their parents, guardians, or other representatives;
2. Providers of rehabilitation services; and
3. Others active in the field of rehabilitation.

The purpose of this Committee is to provide a means to insure that interested citizens, particularly the direct beneficiaries of the Texas Rehabilitation Commission programs, have a meaningful voice in determining the way in which the rehabilitation program is structured and administered. It is the intent of the Commission to give the people for whom the rehabilitation program is designed full opportunity to participate in policy formulation and initial planning to assure that its programs are relevant to their needs and responsive to their priorities.

The following advantages are expected from involvement of clients, providers, and others in policy formulation and administration:

1. Increased awareness of client needs;
2. Realistic insights as to how various aspects of the State rehabilitation program are functioning and how they might be improved;
3. Establishment of an effective working relationship between the Commission and clients, providers and other individuals, and organizations active in rehabilitation in the State;
4. Better information sharing and clearer understanding of the Commission's mission, goals, and objectives;
5. Increased and more effective advocacy for the Commission's programs and its program needs; and
6. Establishment of a mechanism to permit continuous external feedback from all segments of the population on current and proposed operations and plans.

Article II: Function

The Committee shall advise the Commissioner in the following areas of program development and administration:

1. Program evaluation to identify strengths in service that warrant further emphasis, needs for additional services, and general and specific effectiveness and efficiency of operations including the formulation of methods and techniques for improving the delivery of rehabilitation services.

2. Program planning and program development--the planning of future programs and the expansion of current programs to fill needs in service or to improve the effectiveness of the program or programs.
3. Assistance in developing legislative proposals for submittal to the Texas Legislature, both in their preparation and follow through in hearings before the State Legislative Committees.
4. Assessment of the physical accessibility to handicapped persons of all offices and facilities operated, supported, or used by the Commission, and, as required, formulating plans for making them accessible or more accessible.
5. Assistance in studies and surveys conducted by the Commission or its district and local offices; i. e., data gathering, client sampling, and follow-up.
6. Interpretation of the Commission's policies and program services to their constituencies and to the public at large.
7. Assistance in the Commission's in-service training and staff development programs to aid staff (a) in achieving greater understanding of client problems and attitudes, and provider problems; and (b) in maintaining an effective working relationship with organizations representing clients, providers, and other people engaged in rehabilitation.
8. Assistance to the Commission's efforts to continue in the implementation of the objectives of the 1977 White House Conference on Handicapped Individuals; namely, (a) stimulation of local, state,

and national assessment of the problems and potential of persons with physical or mental handicaps; (b) generate local, state, and national awareness of these problems; and (c) development of recommendations for state and national legislative and administrative actions to allow individuals with handicaps to live their lives independently with dignity and with integration into community life.

9. Assistance to the Commission in tapping and securing full utilization of the resources of other public agencies and of private agencies in meeting the needs of handicapped people, particularly severely disabled individuals whose economic, adjustment, medical, housing, and other needs may be the responsibility of these other agencies.
10. Assistance to the Commission in implementing the 1974 and 1978 Amendments to the Rehabilitation Act, requiring that the State agency and facilities in receipt of assistance under Title I of the Rehabilitation Act "shall take affirmative action to employ and advance in employment qualified handicapped individuals covered under, and on the same terms and conditions as set forth in Section 503".
11. Assistance in the establishment of specialized facilities and programs to be operated by consumer and other groups through funding by the Commission, to meet special needs of the severely disabled applicant or client such as peer counseling, centers for independent living, halfway houses and other transitional living arrangements, transportation and postemployment services.

12. Proposing research to deal with unresolved problems in rehabilitation, and to help assess research proposals in terms of their applicability to the needs and priorities of a particular group of handicapped persons or to handicapped people in general.

Article III: Members

- Section 1: Each member of the Committee shall be a person selected because of his/her individual ability to offer sound advice in the areas for which the Committee is charged and who has demonstrated an active and constructive interest in disabled persons.
- Section 2: The membership shall consist of clients (or former clients), providers of services, and others interested in rehabilitation. At least one-half of the members shall be handicapped individuals or former clients; the remainder shall include providers of services, family members of clients who cannot represent themselves, and others interested in rehabilitation.
- Section 3: Members of the Committee shall be appointed by the Commissioner with knowledge of such appointments being made known to the Board of the Texas Rehabilitation Commission. Those appointed shall be persons whose vision and interest will enable them to make a significant contribution to the administration of the rehabilitation program.
- Section 4: The number of members shall be no less than twelve (12) persons and no more than eighteen (18) persons, excluding ex-officio members.
- Section 5: The term of membership shall be for three (3) years beginning with the effective date of the appointment. However, when the initial

appointments are made, one-third of the members shall be appointed for three (3) years, one-third for two (2) years, and one-third for one (1) year.

Section 6: Committee members with two (2) consecutive unexplained absences shall be considered as automatically resigned from the Committee.

Section 7: In case of a vacancy created by death or resignation of a member, the Commissioner may appoint an individual to serve the unexpired portion of the term.

Section 8: A member may serve for two (2) consecutive terms by reappointment at the end of the term, but the Commissioner may waive this stipulation and reappoint a member for a third consecutive three (3) year term.

Section 9: The Commissioner and Deputy Commissioners of the Texas Rehabilitation Commission shall be ex-officio members of the Committee. Ex-officio members shall be exempt from tenure and shall not have a vote.

Section 10: The members of the Committee shall be paid a consultation fee plus travel expenses for meetings attended. Travel expenses paid will not exceed those allowances which prevail for employees of the Commission.

Article IV: Officers

Section 1: The Committee shall have a Chairman and a Vice-Chairman appointed by the Commissioner for one (1) year. If either officer is reappointed, he/she would be eligible to serve another term of office but not to exceed two consecutive terms. The Vice-Chairman serves as Chairman when the Chairman is absent. The Commissioner shall fill vacancies when they occur.

Section 2: The Commissioner appoints a staff person as Coordinator to the Committee to be responsible for planning meetings, preparing and distributing agenda, maintaining records, reporting to various Committee members concerning items of interest to the members and maintaining liaison between the Commissioner, the Committee, and various interested divisions of the Commission. Appropriate technical assistance to the Committee shall be made available to the Committee from the staff of the Commission.

Article V: Meetings

Section 1: The Committee shall meet at least once during each calendar year as a minimum and preferably meet once during each quarter of the calendar year, providing the necessity for a quarterly meeting exists, and shall meet at such other times as is deemed necessary by the Commissioner.

Section 2: The Chairman shall confer with the Commissioner concerning the agenda and proceedings of the meetings of the Committee.

Section 3: A quorum for the transaction of business at any meeting of the Committee shall be a majority plus one of the sitting Committee members. The act of a majority of the Committee members present shall be the act of the Committee.

Section 4: Robert's Rules of Order shall be the authority on parliamentary procedure at all meetings.

Article VI: Subcommittees

Section 1: There shall be four (4) standing subcommittees: Executive, Issues Study, Position Papers, and Interagency Relations.

- A. Executive - shall be responsible for such housekeeping chores as shall become necessary to keep the Committee running smoothly and efficiently, and shall consist of Chairman, Vice-Chairman, and Staff Coordinator.
- B. Issues Study - shall be responsible for research and recommendations from various regions of the State for action on specific issues under study by the Commission. Issues Study are for the Commissioner's use and are not to be disseminated to the public.
- C. Position Papers - shall be responsible for developing position statements on particular Texas Rehabilitation Commission positions and other areas related to the handicapped. When a position paper is adopted by the Commission, members may be encouraged to disseminate the position paper to the widest possible audience. However, in the absence of a position paper adopted by the Commission or the Committee, members may not speak for the Committee without prior written approval of the Commissioner.
- D. Interagency Relations - shall develop and maintain liaison with other governmental agencies in order to effect better services for the Commission's clients.

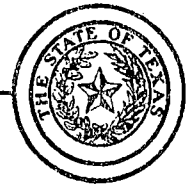
Section 2: When special problems and situations arise which the Commissioner deems inappropriate for the standing subcommittees, the Chairman may appoint an ad hoc subcommittee to advise him on the problem or situation.

Section 3: All subcommittees (standing or ad hoc) shall be appointed by the Chairman with the approval of the Commissioner. Individual members of the subcommittee, but not the Chairman, may be appointed from outside the Committee in order to bring to the subcommittee as much specialized knowledge and ability as possible to bear on the specialty involved.

Article VII: Amendments

Amendments to the Bylaws may be made by a majority vote of the sitting Committee members and the approval of the Commissioner.

Texas Rehabilitation Commission



COMMISSIONER FOR REHABILITATION W. K. Harvey, Jr.

January 22, 1979

BOARD MEMBERS

John D. Simpson, Jr.
CHAIRMAN

Mrs. Marjorie C. Kastman
VICE CHAIRMAN

Jack B. Dale, Jr.
J. E. Miller, M.D.

TO: Members, Texas Rehabilitation Commission
Consumer Consultation Committee

FROM: Bob Blase, Chairman

As a follow up to the list of members of the Committee and the terms of office which were mailed to each member, I am pleased to appoint the following committees.

Executive Committee

Bob Blase, Chairman
Lex Frieden, Vice Chairman
Ms. Helen Goodman, Staff Coordinator

This Committee shall be responsible for such housekeeping chores as shall become necessary to keep the Committee running smoothly and efficiently.

Issues Study Committee

Ms. Shirley Price, Chairman
J. A. Abernathy
Ms. Betty Ellis
Shelly Liss, M.D.
Sam Millsap
Ms. Barbara Trusler

This Committee shall be responsible for research and recommendations from various regions of the State for action on specific issues under study by the Commission. Issues Study are for the Commissioner's use and are not to be disseminated to the public.

Members, Texas Rehabilitation Commission
Consumer Consultation Committee
January 22, 1979
Page 2

Position Papers Committee

Tom Morrison, Chairman
Earl Day
Bob Dickson
M. C. Schlecte, M.D.
Ms. Jane Butler Woolsey

This Committee shall be responsible for developing position statements on particular Texas Rehabilitation Commission positions and other areas related to the handicapped. When a position paper is adopted by the Commission, members may be encouraged to disseminate the position paper to the widest possible audience. However, in the absence of a position paper adopted by the Commission or the Committee, members may not speak for the Committee without prior written approval of the Commissioner.

Interagency Relations Committee

Jim Grey, Chairman
Don Culwell
Wyatt Hall
Jack Northrup
Merle Springer

This Committee shall develop and maintain liaison with other governmental agencies in order to effect better services for the Commission's clients.

Shortly, you will be receiving an agenda for the meeting to be held on February 15 and February 16, 1979, at the Commissioner's Conference Room, Texas Rehabilitation Commission, 118 E. Riverside, Austin. The meeting will begin at 1:00 p.m., February 15, and adjourn at noon on the 16th. The agenda will be structured in such a way that each committee will have the opportunity to meet and further define the perimeters of responsibility and how the committee will function.

Looking forward to my first meeting as your Chairman.

MINUTES
OF THE
TEXAS REHABILITATION COMMISSION
CONSUMER CONSULTATION COMMITTEE

The Texas Rehabilitation Commission Consumer Consultation Committee met in a Called Meeting on September 27 and 28, 1979, in the Commissioner's Conference Room, 118 East Riverside Drive, Austin, Texas. The meeting was called to order at 1:00 p.m. on September 27, with the following attendance:

PRESIDING: A. J. (Bob) Blase, Chairman

PRESENT: Lex Frieden, Vice Chairman
Helen Goodman, Staff Coordinator

J. A. Abernathy	Shelly Liss, M.D.
Becky Brandon	Margaret Nosek
Don Culwell	Shirley K. Price
Raymond L. Dabney	Trudy Putteet
Earl Day	Merle Springer
Bob Dickson	Hon. Bob Thomas
Wyatt Hall	Jane Butler Woolsey
D. H. Howell	

ABSENT:	Betty Ellis	Tom Morrison
	Jim Grey	Jack Northrup
	Sam Millsap	Barbara Trusler

STAFF MEMBERS PRESENT:	W. K. Harvey, Jr.	Jeff Kaufmann
	Max Arrell	Sybil Montgomery
	Doyle Wheeler	Ray Vaughn
	Edward W. Austin	Milton Werner
	Lois Cooper	Carol Whitcraft, Ph.D.

INTERPRETER: Jan Castleberry

VISITORS:	Malcolm Brodie	Nan Putteet
	Jerry Doyle, RSA	J. A. Woolsey
	Steve Lane, RSA	

MINUTES
OF THE
TEXAS REHABILITATION COMMISSION
CONSUMER CONSULTATION COMMITTEE

APPROVAL OF MINUTES OF MEETING ON MAY 17 AND 18, 1979

The Minutes of the May 17 and 18, 1979, meeting were approved as mailed with the correction of listing Tom Morrison as absent from the meeting.

COMMENTS FROM THE COMMISSIONER, W. K. HARVEY, JR.

Mr. Harvey discussed the proposed change in the Bylaws to increase the membership of the Consultation Committee to 26 members.

Under the Independent Living Program requirements, as set forth in Title VII of the Rehabilitation, Comprehensive Services and Developmental Disabilities Amendments Act of 1978, the Commission must "provide assurances that handicapped individuals shall have a substantial role in developing the State plan." TRC was faced with the need to present an Interim Independent Living State Plan by October 1, in conformance with the need to submit an application to RSA for funds to initiate Part B of the Independent Living Program. Even though an Interim State Plan was approved by the Board of the Texas Rehabilitation Commission on September 26, and hopefully approved by this Committee, there is a requirement for consumer input. Names for consideration as new members to meet this requirement for input from handicapped individuals were sought from groups representing the handicapped and the persons selected were subsequently contacted, asked to be members of the Consultation Committee, and have agreed to serve on the Independent Living Subcommittee.

We will not have a final three-year State Plan for Independent Living until the regulations are published. A final three-year plan will be promulgated with input

from this Committee. Of the two parts in Title VII, Part A provides funds to rehabilitation agencies to develop plans for serving severely disabled people, and Part B provides funds for nonprofit independent living centers. If within six months after the date each fiscal year the Commissioner of RSA begins to accept applications a state has not submitted an application for these funds, then the Commissioner of RSA may accept applications for grants under Part B from local public agencies or private nonprofit organizations.

Only \$2 million was recommended for Independent Living for FY 1979 by the Carter Administration and \$10 million for FY 1980 for the purpose of funding Part B, and Congress appropriated only \$2 million for FY 1979. The logic must be that independent living centers are needed in addition to other resources that rehabilitation agencies use. For fiscal years 1979 and 1980, it will be necessary for the state agency to make grant application for independent living funds for both years. After that, if the appropriation is such that money is available, local public agencies and nonprofit organizations can make application directly. An application for an Independent Living grant and an Interim Three-Year State Plan were prepared to have the mechanics in place whereby, hopefully, the Commission application will be given consideration. In disbursing the \$2 million appropriation, there will be ten \$200,000 grants, so Texas is just one of 50 states eligible to apply for the grant money. While some individuals have stated that these grants have been awarded, TRC has received no official word.

Jerry Doyle mentioned that an announcement is expected next week at the Council of State Administrators of Vocational Rehabilitation meeting to be held in Denver.

Commissioner Harvey continued by stating the guidance of this Committee is needed in making recommendations in disbursing the \$200,000 if Texas is awarded a grant. If TRC and this committee do some good planning with Part B and then with Part A, hopefully we can get additional funds for 1981 for implementation under both Parts. It is incumbent on TRC, as the principal rehabilitation agency in the state, and on this group, to do our part and other states do their part so that we can prevail on Congress to make more money available in 1981. Hopefully, we can get necessary funds for TRC to adequately match on a 90 - 10 basis any funds that Congress will appropriate in 1981 for independent living purposes.

TRC will work closely with Senator Chet Brooks' committee to reflect needs to the next session of the Texas Legislature for money to take actions which will enrich and further develop the rehabilitation program we have had for fifty years in Texas. It will require a lot of work and some good planning to reach a consensus of needs of the handicapped to support the request TRC will be making of the Texas Legislature, as well as getting more appropriations on a Federal level.

We are still making a concerted effort to do what we can to get some needed amendments in Social Security legislation.

New legislation is pending to create a Federal Department of Education, which calls for a Secretary of Education. RSA would be part of this new department. The legislation has been considered in both houses and is now in conference committee to work out differences--which are broad. One difference is a waiver in the initial legislation that was instigated by the State of Florida which would give State Governors broader authority to place rehabilitation programs in a unit that the Governor thinks it belongs. A substitution change would give the states an option of allowing a period

of eight months to be in compliance. Some members feel if a Department of Education is created it would mean more intervention on the part of the Federal government in the operation of independent school districts. A real battle is shaping up with regard to this legislation.

We are developing capability to more adequately cope with the severely disabled client than ever before. The counselors' capability of meeting those needs has been strengthened. We are effecting coordination with other state programs to make sure we are adequately utilizing similar benefits available to our clients.

Steve Lane commented that DHEW is extremely pleased about the concept of RSA and state rehabilitation programs getting into independent living. The amount of money available is embarrassing, but the more familiar RSA can become by getting close to problems of the program with the broad variety of consumer input, the better RSA will be able to handle their part of the program.

CHANGE IN BYLAWS

Thirty-one groups related to the handicapped were contacted to submit names of persons who might be selected to serve on an Independent Living Subcommittee. From the lists, five nominees were selected and have agreed to serve on this subcommittee. A change in the Bylaws, Article II, Section 4, would be necessary to include the new members. Dr. Liss moved that Section 4 be amended to read "no more than 26 persons . . ." The motion was seconded and passed.

APPOINTMENT OF SUBCOMMITTEES

Members of the new Independent Living Subcommittee were appointed by Chairman Blase with the approval of the Commissioner. The members are Lex Frieden, Chairman;

Becky Brandon; Earl Day; D. H. Howell; Sam Millsap; Margaret Nosek; Trudy Putteet; and Judge Bob Thomas.

Members of the new Facilities Subcommittee were appointed by Chairman Blase with the approval of the Commissioner. Members of this subcommittee are Ray Dabney, Chairman; Bob Blase; Bob Dickson; Wyatt Hall; and Shelly Liss, M.D.

REVIEW OF THE PROPOSED INTERIM THREE-YEAR PLAN FOR INDEPENDENT LIVING

Mr. Harvey stated that when final regulations are received, they will be sent to the Committee for their input during the comments period of time (60 to 90 days) to develop the final three-year plan.

Milton Werner presented a review of the Proposed Interim Three-Year Plan for Independent Living. The Plan is a requirement for RSA to consider and process grant applications. It is a prerequisite for a grant proposal, and is required before a state can become eligible for Part A funds. Attention was called to the four attachments to the State Plan. There are other attachments which the Commission could originate if desired to use as a base point from which to operate. The State Plans are flexible to the extent they can be amended and modified with ease through proper procedural channels. It should be emphasized (1) there is limited money available for two years, and (2) we want input and advice from this group to modify, improve and strengthen our plan.

Doyle Wheeler said that on looking at the attachments as to services provided, we would not seek vocational training and other services because we want the first dollars spent for vocational rehabilitation clients and want to save as much money as possible--decide where vocational dollars should be spent and where independent living dollars should be spent. It is very difficult at times to determine if many severely

disabled people will be able to go to work if vocational rehabilitation services are provided. The only way we can meet the need of such people is to accept them for vocational rehabilitation. This means spending vocational rehabilitation dollars first. This is an interim plan--it can be changed. Dollars for independent living are scarce. It is easier to loosen up than it is to tighten up.

Mr. Harvey commented that some states envision providing services to preschool age children on up the age scale to the elderly. These grants will offer services through traditional rehabilitation and independent living to a broader group of handicapped people than ever before. We must be realistic in selecting the population group we serve. The two programs (regular and independent living) would complement each other very well. We are adding an ingredient we have not had for many years--adding people we have never been able to serve before.

Lex Frieden said that with respect to a possible \$15 million for next year's (FY 1980) budget, it may be possible that \$10 million may be available earlier on in the fiscal year to help support some of the programs.

Dr. Liss inquired as to the economic level for independent living funds--vocational orientation for people who do not have financial problems. Steve Lane pointed out that economic need criteria is not a factor in availability of services.

Mr. Harvey said the decision to fund Part B in 1979-80 was to make funding available so that when Part A is ready for implementation, services and facilities will be ready for clients. Mr. Wheeler called attention to page 13 of the State Plan. Part A nonprofit independent living centers could offer any range of comprehensive

services for which they have a capacity. The State Plan covers only services provided by TRC. For clarification, Part A would enable state agencies to deliver independent living services for individual clients. Part B makes funds available for the operation of independent living centers.

Dr. Liss recommended that with the services developed under Part B, the Commission do what it can to stimulate persons in the communities to avail themselves of the services.

Margaret Nosek noted that another population in the same situation would be TRC clients in Status 26 but in continuing need for services, that such clients should not be excluded. Services in independent living centers should be spelled out pretty specifically in the regulations as to what the agency can do, with the state agency having options.

Mr. Abernathy mentioned he would like to see the word "training" in the final plan — some type of adjustment training.

Mr. Harvey read to the group a note which had been handed him: "The Education Bill passed the House today. It has gone to the President for signature. The VR program will be under the Education Department; the Developmental Disability and Rehabilitation Social Security Program will stay with HEW."

There was a discussion on the use of I and E grants for independent living centers. I and E moneys can be used to begin some independent living centers. The funds provide services to clients in Innovative and Expansion Programs and are approved to centers serving severely disabled clients. Even after independent living money is available, I and E money may still be used to provide grants to facilities which are providing services to severely disabled people.

FOLLOWUP REPORT, PRODUCTIVITY OF TRC CLIENTS

Carol Whitcraft, Ph.D., briefed the Committee on the Research Division Report, Productivity of TRC Clients, FY 1978-79. The procedure used to obtain the statistics for the Tables was explained.

It was interesting to learn that a high percentage of the rehabilitated clients did not receive any public assistance and very few received public assistance at closure. In Table 5, Planned Occupations, it was found that a high proportion of clients were employed in occupations in which they had been trained or in related jobs. Tables 6 and 7 show the employment and earnings of rehabilitated clients who responded to the questionnaire. A high proportion remained on jobs. A majority of the unemployed had been without employment for four to six months. Texas has a better record in this department than most other states. Documented client comments from the post closure survey are both positive and negative. In a future survey, an interviewer will supply material gained by personal interview with rehabilitated clients.

THE EMOTIONAL TURMOIL OF PERSONS WITH ONE OR MORE DISABILITIES

Mr. Abernathy related that this paper is intended to be part of a document which he hopes will become a book, and told of some interesting comments he has received on the paper. The primary cause of nonrehabilitation is emotional turmoil of the individual.

There was discussion as to whether this paper could be refined to be used in a magazine or could be used as a norm in a school program, and if there is any objection if the paper, after editing, is offered to the Journal of Rehabilitation for publication. If the paper is developed to the point where it would be pertinent, it could be used by Staff Development for training.

OTHER DISCUSSION

Lex Frieden mentioned that this Committee had the opportunity to provide input with reference to the Pickle Bill and noted that essential, desirable provisions have been passed by the House. Two particular bills of importance for handicapped people are pending now which relate to SSI increases for eligible handicapped individuals. Representative Pickle's bill would remove some disincentives to employment by SSDI beneficiaries, but that particular bill has some objectionable sections to most of the national disability organizations as it relates to SSI. For instance, a person who becomes disabled receives benefits based on the last few years' average salary. The Pickle Bill provides for a reduction in the number of dropout years for younger disabled workers. The first lean years could not be dropped, so less income would be received.

Another objectional part relates to a limit on the amount of SSDI any one family can receive regardless of the number of dependents. It may be that the two bills will be combined. If this should occur, many organizations would lobby to defeat the bills. The Senate Finance Committee could treat this as two separate bills--could approve one without approving the other. The bill could be amended so that problems could be adjusted in the House passed version. Could TRC study that issue with staff people and recommend to the Senate Finance Committee to support an amendment that would eliminate the two objectionable sections? Mr. Harvey replied that CSAVR would be working on it at the Denver meeting and that he is ready to testify that CSAVR make recommendations to alleviate these two sections. Senators Bentsen and Tower are aware of our concern. Sections 8 and 13 will also be considered. Lobbying by groups could possibly kill both SSDI and SSI bills.

Following a brief general discussion of the bills, the meeting was adjourned at 4:10 p.m.

September 28, 1979

The Consumer Consultation Committee reconvened at 8:30 a.m., with Chairman Blase calling the meeting to order.

Mr. Harvey expressed the concern of TRC with transportation and housing for handicapped people through the years. Problems surface in each area. There seems to be little headway being made. TRC wants to become heavily involved in all aspects of mass transportation, and needs to be more knowledgeable regarding housing provisions and the responsibilities of mayors of cities regarding public housing for the handicapped. The State Department of Highways and Public Transportation has assigned a committee to study the problems of mass transportation, and TRC has received some materials concerning the Section 18 Grant Program: Public Transportation for Non-Urbanized Areas. This publication is available through the DHPT area district offices.

At this time, the Subcommittees met in separate conference rooms, with other Committee members sitting in at either of the two meetings.

SUBCOMMITTEE REPORTS

The full Committee reconvened and Chairman Blase asked for a report from the Facilities Subcommittee, which was presented by Ray Dabney. A copy of the Minutes of the meeting and a paper outlining the Role and Function of the Subcommittee follow as Attachments A and B.

Lex Frieden asked Trudy Putteet to present the report on the meeting of the Independent Living Subcommittee. Ms. Putteet reported that the Subcommittee:

1. Would like to endorse in principle the Interim State Plan for Independent Living with recommendations as noted by the Subcommittee.

2. Would like to endorse Part B FY 79 Grant Application with the exception that it is recommended that no Part B funds be used for staff or administrative purposes or for planning and that the actual grant money be used for Independent Living purposes, and that other resources be sought for funding the 18% administrative costs.
3. Believes the emphasis in IL should be on skills services rather than housing and equipment.
4. Needs to develop exact criteria for preparing grant applications. Perhaps it would be good to include preschool ages in the sense of furnishing information and education for parents to use when handicapped pre-schoolers reach eligible age. Much of this is intended to support future grant applications.
5. Wants to emphasize that Extended Rehabilitation Services and Independent Living Services have an inherent difference and the Subcommittee would like to keep them separated in terms of administration and funds.

Mr. Jerry Doyle, of RSA, stated that the recommendation concerning not using Part B funds in Part A expenses will be submitted as a policy question, and Mr. Frieden asked that when this is done, that as much background information as possible be provided.

Ms. Putteet stated that the Subcommittee recommendations are being made as guidelines for the future and that the Subcommittee would like to meet again before future grant applications are submitted in order to provide feedback.

Attachment C is a copy of the Minutes of the Independent Living Subcommittee.

The next meeting of the Consultation Committee was set for November 29 and 30, 1979, beginning at 10:30 a.m.

The meeting was adjourned at 11:50 a.m.

MINUTES
OF THE
SUBCOMMITTEE ON REHABILITATION FACILITIES

Texas Rehabilitation Commission
September 28, 1979
Austin, Texas

PRESENT: Raymond L. Dabney, Chairman; A. J. Bob Blase; Bob Dickson; Wyatt Hall; Shelly Liss, M.D.; and Ray Vaughn, ex-officio member. Steve Lane, OHD Regional Officer in Dallas, attended as a visitor.

ABSENT: None.

Mr. Dabney opened the meeting at 9:00 a.m. by introducing members who had not been present the day before.

Mr. Vaughn introduced Richard Watson to explain to the Committee the State Plan for Rehabilitation Facilities. Mr. Watson explained how we obtain information that goes into the State Plan such as inventory sheets, standards, and a section on grant information. A further explanation of preparation of the State Plan was provided.

Mr. Vaughn explained the use of the computer printout and data available from it. A discussion of reliability of this data followed.

The Cost Accounting system for establishing fees was discussed and the Committee informed of the revision of fees soon to take effect.

Mr. Hall stressed the general purpose of the Committee's gathering was to help better the services to the clients of facilities.

A handout entitled "Subcommittee on Rehabilitation Facilities, Role and Function," was discussed with emphasis on No. 2. Mr. Blase suggested the deletion of the last paragraph with the exception of the last sentence. It was suggested by Mr. Hall that each member make a "shopping list" with recommendations or problem areas to be discussed at the next meeting. Mr. Dabney stated that each Committee member should mail any recommendations, proposals, or "problems" in writing to Helen Goodman for distribution to other Committee members. This would allow time prior to the Committee meeting at which the material would be presented for action.

Mr. Vaughn showed the Committee transparencies on an overhead projector and explained the procedure of grant applications. This included Phase I-Planning Process, Phase II-Notification Process, Phase III-Review Process, Phase IV-Approval Process, and Phase V-Grant Award Process.

Meeting was adjourned at 10:45 a.m.

TRC Consumer Consultation Committee

SUBCOMMITTEE ON REHABILITATION FACILITIES

Role and Function

It is the purpose of the Subcommittee on Rehabilitation Facilities to serve in an advisory capacity to the full Consultation Committee concerning the following matters:

- (1) Consultation and advice on establishment of fair and equitable fees for facility services.
- (2) Review of major problem areas faced by facilities and TRC with possible solutions.
- (3) Assist in standardization of data collection and reporting systems in regards to facility costs, trends, program needs, cost effectiveness, and rehabilitation outcomes.
- (4) Provide annual input to the "State Plan for Rehabilitation Facilities." The plan includes a determination of needs for new, expanded or otherwise modified facilities or facility services, and a prioritized list of facility projects necessary to achieve short-range State goals. This plan shall include an inventory of approved facilities and a description of their present and potential utilization.
- (5) Recommend revisions in the "Standards for Rehabilitation Facilities."
- (6) Provide other advice on rehabilitation facility programs as deemed appropriate by the Consultation Committee and TRC administration.

Upon approval by the full Consultation Committee, recommendations from the Subcommittee on Rehabilitation Facilities will be submitted to the TRC administration for review and final action.

The TRC Director of Facilities will serve in an ex-officio capacity.

Adopted September 28, 1979

NOTES FROM MEETING OF INDEPENDENT LIVING ADVISORY SUBCOMMITTEE

September 27-28, 1979

Meeting called to order by Subcommittee Chairman Lex Frieden, who asked for comments on the Interim State Plan for Independent Living Rehabilitation Services and the FY '79 Part B grant application.

One point of concern about the grant application mentioned by Judge Thomas was that approximately 18½% of the funds for Independent Living centers was earmarked for professional staff and other administrative costs, which would be a large chunk of the initial \$200,000 grant. He questioned the legality for staffing Part A activities with Part B funds.

Milton Werner of TRC stated that any professional staffing and other administrative costs would be 100% utilized and available to the Part B program, and that possibly a staff person would be located in the Central Office to administer and monitor the program. Mr. Werner stated he felt TRC had the latitude to make this all workable.

Judge Thomas questioned the need for a \$30,000 per year Program Officer and secretary to be added to the staff if TRC could possibly make do with present staff. Mr. Werner admitted that 18½% would be out of line this first year with only \$200,000 in funds to work with, but it was to be remembered that TRC is looking to the future with hopefully much more money to work with. He said the Commission has been using its Program Specialists who are experts in this field as members of the initial committee in laying the groundwork for IL. Also, that TRC is tracking the Extended Rehabilitation Services Program, which is similar in many ways. He also pointed out that TRC presently does not have an IL specialist.

Edward Austin, TRC's Assistant Deputy Commissioner for Legal Services, stated that Federal regulations governing the utilization of grant funds under Part B have not been received, and the grant application is based on TRC's interpretation of the intent of Part B.

Jerry Doyle, one of the RSA representatives present at this meeting, said that TRC will probably have to keep separate accounting records for Title VII IL Program and Title I, the Basic VR Program, and there may be some problems in using Title I Sect. 110 money for Title VII projects.

The suggestion was made that TRC use Title I money for administration and leave Title VII money for services as much as possible. It was recommended that TRC clarify the legal question of using Title I money to do Title VII projects. Also, questions were raised as to other administrative charges such as auditing, monitoring, evaluating, etc.

Mr. Austin said the whole question of how to divide up administrative costs is a very complex one and will require careful advance planning.

One subcommittee member asked whether TRC might later reimburse Part B with Part A funds. He said he hopes the "powers that be" will take a closer look at this whole question.

The question was asked whether or not the Federal Government encourages a match from the State in these projects. Are there State funds to pay for a position or other salaries/expenses? Mr. Werner replied that they do encourage a match and that we will look into this matter.

Several subcommittee members agreed that alternate means should be looked into for absorbing these administrative costs so that Part B funds can be used for direct services and facilities. Another member said she thought we were always supposed to use existing facilities as much as possible before building new facilities.

Mr. Werner stated it may be advisable to economize in this regard until more money is available in future years. It was the consensus that all facilities available now be used and renovated where possible.

The matter of competitive applications for centers was brought up. What criteria will be used in awarding the contracts?

Mr. Werner said the criteria will of necessity follow the directions contained in Title VII, along with guidance from this Committee about the various parameters. He said we have to be open-ended. He read a list of guidelines he had drawn up which would follow the same procedures presently utilized by TRC in processing grant applications, and would necessarily involve this subcommittee in the review process. The intent is to take advantage to the extent possible of the experience gained from handling other grant applications over the years.

Shirley Price said she thought we should do some early research into what is actually going on in other centers or facilities, with perhaps one to use as a model or demonstration center. She suggested TRC contact Federal and State agencies in Texas which fund facilities performing IL services, and find out which facilities are best serving the severely handicapped population.

Mr. Werner said that he has written to all of the States to inquire as to what they are doing to make ready for Independent Living Programs in their States. He received approximately 30 replies, and some enclosed plans they have begun. He said that Massachusetts sent us a copy of a detailed plan for administering grant proposals which is similar to the present TRC procedure.

Mr. Werner reiterated that the Commission employs Program Specialists (consultants) who work with various facilities throughout the State of Texas, each in his/her own specialized field of interest, and that we have input from these people in the Independent Living Program.

Lex Frieden said that to summarize this discussion, he hears these recommendations:

1. The application for Part B funds might be strengthened considerably if TRC can get some matching funds from other resources to assist with administrative costs - possibly State funds or I&E funds.

2. The application for Part B funds also should have a more detailed description of the methods and processes TRC might use to select centers and perhaps include part of the Massachusetts plan for Texas. It should also include evaluations of facilities currently providing IL services. Mr. Frieden said he is also a member of an ad hoc committee of the ACCD which is giving a higher priority to those existing facilities and that they have recommended that Part B funds be used for nonresidential facilities and that no administrative or planning money be taken from Part B funds.

Judge Thomas said he wonders about the question: if there are two or more groups competing for a grant, and one group may be severely handicapped individuals without experience in management, will TRC be required to give them priority over others who might have more expertise?

Mr. Werner said that the Commission's Grants Review Committee screens all grant applications thoroughly and weighs all the proposals and applications against the existing criteria. The Facilities Section receives, reviews, and coordinates with the Program Specialists. Mr. Frieden said he would like to suggest that the Independent Living Advisory Committee act as a peer review committee with the Grants Review Committee. Mr. Frieden said that the intent of the law is that organizations that have substantial consumer involvement in policy making and management be awarded these grants.

Mr. Austin said he would like to point out that TRC has developed a tremendous amount of expertise in evaluating establishment grants and that he was sure this expertise would be helpful in evaluating Independent Living grants. Much of the same criteria will be applied. An exhaustive study is always made of each grant application. Where TRC has not received satisfactory service, this will be given weight as well as the actual need in a specific geographical area for expansion of facilities.

Judge Thomas asked if it would be a good idea to gather some information from some of those facilities already in existence and take a look at their audits and monitor and evaluate what they are already doing. TIRR and its six years of effort was mentioned as well as other models. It was pointed out that TRC has no track record in Independent Living and that many new criteria will need to be developed because there is no precedent.

Mr. Frieden said he would like to recommend that TRC seek funding for helping to reimburse staff time out of State funds or some other funds for planning purposes. Someone such as a student could be added to personnel and he thinks this should be a recommendation from the committee. Mr. Frieden stated that he felt that the Extended Rehabilitation Services Program of TRC is different from the Independent Living Program because consumers are not involved to any great degree in ERS. They lean more towards the housing area than does IL. Independent living rehabilitation services will be needed for many employed persons. This is not the same as ERS and will be serving different populations. There is a fear that future state legislation might lump ERS with IL and this should be avoided. Mr. Frieden reiterated that this committee recommends the keeping of the present method of having the Extended Rehabilitation Services Program and the Independent Living Program completely separate.

Someone asked why services for pre-school children were not included in this program under the interim state plan. Mr. Werner said we are dealing with limited sums of money and that there are many programs already funded for services for children. VR serves the age 16 and older, and that is where our expertise lies. However, it was agreed among the members that a service could be provided to the younger age handicapped by making known to parents of handicapped children what services are available and how they can be obtained. This would act as a referral and information resource.

The committee felt that interagency agreements should be reviewed by the Commission to ensure that proper referrals be made to TRC from projects serving handicapped children, so that a continuum of services is provided.

Mr. Austin pointed out as an aside that there are two Federal statutes dealing with age discrimination: Age Discrimination in Employment Act of 1967 and the Age Discrimination Act of 1975 which addresses non-discrimination in the provision of services in federally assisted programs.

It was mentioned again by some of the members that pamphlets, telephone calls and other ways to direct attention to parents of handicapped children is one of the most cost effective services we can render.

Mr. Frieden said he thinks this committee should be called together at least one more time before the final State Plan is submitted.

One member wondered how much autonomy would be allowed and how strict would the adherence have to be for services? Although the intent of the law is to include organizations which are substantially managed by handicapped individuals, facilities are actually doing the managing. She said that if funds are put into community-based organizations, the effect would be better. Part B is aimed more towards community centers and not residential facilities.

Mr. Werner said that individuals that are served by IL grant funds will have to meet TRC eligibility criteria as indicated in the State Plan, and the services must be in compliance with the terms of the grant. The IL facilities will have to meet all the barrier-free standards, etc. Our Facilities Certification Team inspects and certifies all facilities used by VR. He thought that a similar arrangement will be necessary for the IL Program.

Mr. Frieden asked that the committee members be furnished with copies of the Commission's present Facilities Standards. He said it may be that the facility standards used for Independent Living can be somewhat modified.

Mr. Werner stated the grant application for 1979 is final and has been submitted but that we are now gathering input for the FY 1980 grant application. Most of what has been discussed here will be very helpful in this effort.

Mr. Frieden said it is his understanding that we are meeting as a general advisory committee to the TRC and also as an independent advisory committee for the Independent Living Program. It is his intent to as much as possible keep the full committee informed on all actions of the IL subcommittee. This subcommittee will prepare a formal report and distribute it to all members of the full committee.

Shirley Price said she wanted to say a word for the Governor's Committee on Employment of the Handicapped, of which she is a member, and she knows that Committee will give us support and will definitely make some imprint. Mr. Frieden asked Ms. Price to act as a liaison between this IL subcommittee and the Governor's Committee. It was also noted that the Governor has appointed a full-time employee on his staff for handicapped matters who will effect liaison with all State agencies and organizations serving the handicapped.

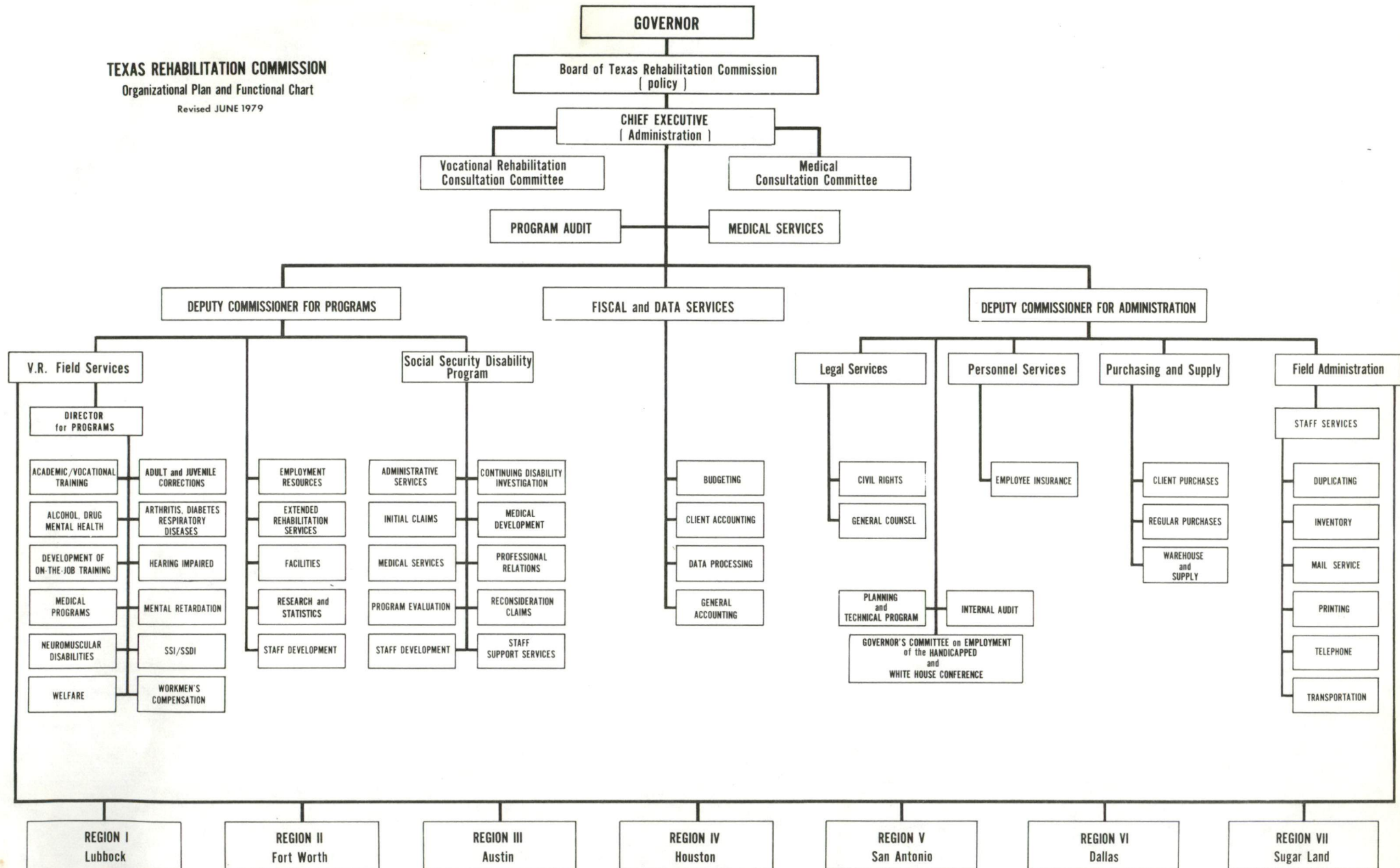
This subcommittee adjourned at 11:00 a.m. September 28, 1979.

12. Proposing research to deal with unresolved problems in rehabilitation, and to help assess research proposals in terms of their applicability to the needs and priorities of a particular group of handicapped persons or to handicapped people in general.

Article III: Members

- Section 1: Each member of the Committee shall be a person selected because of his/her individual ability to offer sound advice in the areas for which the Committee is charged and who has demonstrated an active and constructive interest in disabled persons.
- Section 2: The membership shall consist of clients (or former clients), providers of services, and others interested in rehabilitation. At least one-half of the members shall be handicapped individuals or former clients; the remainder shall include providers of services, family members of clients who cannot represent themselves, and others interested in rehabilitation.
- Section 3: Members of the Committee shall be appointed by the Commissioner with knowledge of such appointments being made known to the Board of the Texas Rehabilitation Commission. Those appointed shall be persons whose vision and interest will enable them to make a significant contribution to the administration of the rehabilitation program.
- Section 4: The number of members shall be no less than twelve (12) persons and no more than twenty-six (26) persons, excluding ex-officio members.
- Section 5: The term of membership shall be for three (3) years beginning with the effective date of the appointment. However, when the initial

TEXAS REHABILITATION COMMISSION
Organizational Plan and Functional Chart
Revised JUNE 1979



MINUTES
OF THE
TEXAS REHABILITATION COMMISSION
CONSUMER CONSULTATION COMMITTEE

The Texas Rehabilitation Commission Consumer Consultation Committee met in a Regular Meeting on May 17 and 18, 1979, in the Commissioner's Conference Room, 118 East Riverside Drive, Austin, Texas. The meeting was called to order at 1:00 p.m. on May 17, with the following members present:

PRESIDING: Bob Blase, Chairman

PRESENT: Lex Frieden, Vice Chairman
Helen Goodman, Staff Coordinator

J. A. Abernathy
Don Culwell
Earl Day
Betty Ellis
Wyatt Hall
Shelly Liss, M.D.

Jack Northrup
Shirley Price
M. C. Schlecte, M.D.
Barbara Trusler
Jane Butler Woolsey

ABSENT: Bob Dickson
Jim Grey

Sam Millsap
Merle Springer

STAFF MEMBERS PRESENT: W. K. Harvey, Jr.
Max Arrell
Charles Schnabel
Milton Werner

Doyle Wheeler
Carol Whitcraft, Ph.D.
Lois Cooper

INTERPRETER: Cynthia Roy

VISITORS: Malcolm Brodie
John Lindell

Paul Tracy
C. A. Woolsey

the Independent Living Program will need to be determined. At present, the way the Act is written, it authorizes all things for all persons, which is unrealistic and impossible--knowing that only token funding will be available for starting the Independent Living Program. There may be only enough funds to develop a good, comprehensive plan for one project this first year, and as more funds are made available in future years, programs can be implemented as resources are made available.

The needs in the State must be known preliminary to developing the I.L. State Plan. For instance, last FY 1978, the Commission closed over 7,000 cases as being too severely handicapped to be eligible for vocational rehabilitation services. This is just one group of individuals that would be eligible for the I.L. Program, and there are numerous others. A facet which will have to be determined is what I.L. services are now being provided in the State, by which agency or entity, what type of clientele is being served, how much money is being spent, etc. Any other types of programs in Texas this committee knows about need to be explored.

Following the President's wishes, a Department of Education may be created as a new and independent agency. It appears that if the bill is passed, RSA will be transferred to the new agency, but the rehabilitation component to SSI and SSDI beneficiaries would not be transferred. In the Health and Welfare Department, there will probably be a new Office of Coordination of Health and Welfare services to which this component will be attached. A waiver provision has been added as an amendment to the Bill establishing a Federal Department of Education which would allow the rehabilitation program to be administered by someone other than the rehabilitation agency in that State. This waiver is objectionable to State Rehabilitation agencies.

A question about the impact at State level if RSA is transferred from DHEW was asked. Each State has three alternatives: (1) A State Board of Education,

MINUTES
OF THE
TEXAS REHABILITATION COMMISSION
CONSUMER CONSULTATION COMMITTEE

APPROVAL OF MINUTES OF MEETING ON FEBRUARY 15 AND 16, 1979

The Minutes of the February 15 and 16, 1979, meeting were approved as mailed after the correction of a sentence on page 5.

REPORT OF THE COMMISSIONER

Mr. Harvey stated that TRC is endeavoring to provide meaningful and effective services to the handicapped of the State. The Amendments of 1978 will change all lives of the rehabilitation community, with a new definition of disability, funding, and measuring of programs. It will be about two months before the proposed rules and regulations, including Title VII, will be published in the Federal Register. Once published, the public will have an opportunity to provide comments concerning the proposed rules. It behooves those interested in implementation of the Independent Living Program to let positions and comments be made known at the earliest possible time because history indicates that once proposed rules and regulations appear in the Federal Register, they are difficult to alter and change. Therefore, comments to those elements drafting the proposals for the Federal Register should be communicated. The Independent Living Program will require the development of a three-year State plan, but there is no deadline as yet. Sharing of information relative to the program is important.

It may be necessary to develop a State plan without benefit of rules and regulations, using the Act as a guide. Types of services and eligibility of clientele for

(2) A division of a regular State Agency with the same status for the Rehabilitation Division as other divisions in the agency, or (3) An independent agency.

In H.R. 3236, the 1978 Amendments to the Social Security Act which have been shared with the Committee, we object to two sections--one section deals with the money available for rehabilitation of Title II cases by using Basic Support Funds instead of Trust Funds and later reimbursing the agency with Trust Funds after termination from Social Security rolls; and another section deals with disability adjudications by State agencies through a written agreement which would be changed to administration through regulations. TRC has objected to both sections by letters and mailgrams to all members of the House and Senate. Both Senators and all but three House members have responded to these communications in a positive manner.

TRC is under continuing resolution as to funding of its rehabilitation program. All the members of the Texas delegation have been contacted to let them know a supplemental appropriation is needed for this fiscal 1979. By July, we should have an appropriation bill at a new authorized level of \$808 million. Some restrictions on case services might be removed at that time. More disturbing than the 1979 appropriation is what might happen to the 1980 appropriation for rehabilitation. Indications are that the full amount authorized, \$880 million for Section 110, is at this time "doubtful." There would be no alternative but to consider the types of disabilities for which services are provided and to place restrictions on what can be done.

Mr. Harvey suggested that the committee members might wish to correspond with members of the House and Senate and request their support for the basic appropriation of \$880 million and \$125 million for Independent Living for fiscal 1980.

PROCEDURE FOR DEVELOPING THREE-YEAR STATE PLAN FOR INDEPENDENT LIVING

Lex Frieden reviewed the history of the Independent Living Program. Some states are quite far along with their planning and others have a wait and see attitude. Past experiences with I.L. studies, planning groups, and demonstration projects were reported. Following are statements of topical areas that were covered.

- . Planning for Independent Living should be initiated immediately because indications are that most likely a usable timely guidance for developing a State plan will not be received. If the Commission chooses to participate in the I.L. Program, a plan with maximum flexibility should be prepared regardless of the amount of funding which will be available within the next three-year period. The minimum recommended for 1979 would be \$25 million, and \$125 million for 1980. However, indications in Washington are that only \$2 million for 1979 and \$10 million for 1980 (\$10 million for 50 states equates to \$200,000 per state) may be received. If a supplemental bill is passed this year which authorizes funds for Title VII, plans will have to be written utilizing proposed regulations and the Act itself.
- . The Independent Living Program will require a consumer advisory committee similar to this Consultation Committee. It may be possible to utilize this Consultation Committee for the dual purpose of V.R. and I.L., or it may be advisable to make the I.L. Advisory Committee a subcommittee of this Committee, composed of several of its members.
- . The rules and regulations may eliminate the 45-day requirement that the Governor review the I.L. Plan.

- . The I.L. Program will probably be available only to severely disabled people.
- . There may be a provision for concurrent eligibility for both V.R. and I.L.
- . There undoubtedly must be an order of selection for eligibility to prioritize funding because, as previously mentioned, the universe of disabled people are eligible for this program, yet the funding is less than minimal.
- . A new service which the I.L. Program authorizes and which has not been used systematically in the regular V.R. Program is "peer counseling" whereby one handicapped person counsels another handicapped person.
- . The I.L. Program will probably provide for modifications of living arrangements.
- . An Individualized Written Independent Living Program (IWILP) must be developed on each individual accepted for I.L. services. Such a plan must indicate that the individual has a probability of gain and that I.L. services will help the individual to achieve a higher quality of life.
- . Case records and accountability of funds will be a requirement similar to the V.R. Program.
- . There will be a provision for closure of I.L. clients which would be predicated on criteria established for such purposes.
- . Funding this year will probably be for demonstration projects only, under Part B of Title VII. There may be no funding for the Part A Comprehensive Services section of Title VII.
- . No mention is made in Title VII of economic need or financial participation by clients.

Two sets of material were distributed: a synthesis of issues which have to be addressed by the State Plan, "Planning an Independent Living Program on the State Level," and "Minnesota Division of Vocational Rehabilitation Plan for Implementation of Comprehensive Services for Independent Living."

There are several Independent Living Centers around the country now. One of the primary models is the center for I.L. in Berkeley, California, where deaf, blind, wheelchair bound, mental retardates, addicts, etc., work together and are served compatibly.

GENERAL DISCUSSION OF INDEPENDENT LIVING

Doyle Wheeler directed the Committee's attention to page 13 of the Preliminary Working Draft of Part 1363, The State Independent Living Rehabilitation Services Program, and asked how an advisory committee can be named that is selected "after severely handicapped individuals in the State have been provided an opportunity to suggest those individuals considered by them to be best qualified to represent the severely handicapped persons in need of Independent Living rehabilitation services." How can input from handicapped persons of the State be obtained?

Part A of Title VII allows the State rehabilitation program to provide services for the handicapped, and TRC will establish an Independent Living Program for this purpose. Part B calls for the establishment of consumer directed centers. The State has an option--if it is decided the State does not want the responsibility to provide services, another group or agency can apply for funds to assume responsibility for the program.

REPRESENTATIVE FROM GOVERNOR'S OFFICE

Allen Clark, Special Assistant to Governor Clements, told the Committee that one of his main interests will be helping the handicapped of the State. He will work for better liaison and better cooperation -- wants to "get a handle" on all services for the handicapped of the State and strive for more coordination between State agencies. He has a personal commitment to services provided the handicapped by the State of Texas. Mr. Clark related his experiences as a double amputee, rehabilitation through the Veterans Administration, and his encouragement from his wife and friends for continued education and a career. He wants to be involved in committees such as this, and is especially interested in employment of the handicapped.

The individual committee members were asked to list five concerns regarding Independent Living they might have which can be presented at the Friday morning meeting.

Meeting adjourned at 4:40 p.m.

May 18, 1979

Beginning the second day of the meeting, Mr. Blase asked Mr. Harvey to speak on how the February reports of the subcommittees had helped the Commission.

Three major areas of concern of the Issues and Studies Subcommittee were:

- (1) Efficient use of agency funds, (2) Setting priorities of various TRC programs, and
- (3) Insuring vocational productivity.

TRC has continuing mechanisms through program audits to assure that funds are being spent in conformance with the laws of the State and Federal government and with TRC policies and procedures. A study was made about what could be done to conserve funds, and procedures were developed and implemented to be sure that similar benefits were used before expending case service funds. Several measures were adopted, including a limitation on tuition. We feel that these conservation measures have been successful, and we do not expect to exhaust our funds for the severely disabled and will probably be able to spend case service funds for the nonseverely disabled for the entire third and fourth quarters.

As for setting priorities for various programs, it is incumbent on us to provide services to the severely disabled. When Federal funding is known, priorities probably will be set and the information shared with this committee.

The TRC Research Division has statistics and information showing efforts and results concerning vocational productivity and will share this with the Committee.

As to the development of a directory of resources for alternate funding, it might be more appropriate to have regional directories. If this were done, personnel would be assigned to keep the directories current. This will be considered.

The two Assistant Deputy Commissioners have examined case records in various field offices to ascertain that only eligible clients are being served. They found some

cases where eligibility on the basis of handicap was questionable. To be certain all counselors are in accord, the Supervisors have been asked to sign all plans for vocational rehabilitation and to determine that all resources are being properly utilized. The intent is not to question the professionalism of the counselors, but to make certain that TRC's policies are being carried out.

Commenting on the Position Papers Subcommittee recommendations, Mr. Harvey stated that he had testified as to disincentives issues before the Social Security Committee in Washington and that several disincentives will probably be removed from Social Security legislation.

The Committee members wanted to know how they are doing. Mr. Harvey replied that the Committee is doing fine. As time goes on, a more refined methodology will be developed. The Committee's ideas on broad issues and other matters are welcome.

The Committee met in closed session for the purpose of developing a list of priority views for TRC to consider in the development of an Independent Living State Plan. The Committee recommended that:

- . the Commissioner appoint a small consumer consultation committee utilizing members of this Committee for the nucleus of such committee, and that the Commission communicate with consumers and advocacy groups throughout the state in an effort to obtain additional members to be appointed to the Independent Living Advisory Committee;
- . the Commission give priority to deinstitutionalization of severely handicapped persons, especially where public funds can be saved and released for other purposes, before expanding into other programs;

- . the Commission upgrade housing, especially for the mentally ill;
- . severely disabled individuals living in an inappropriate environment be helped to enjoy a better quality of living;
- . individuals be provided a more appropriate environment, such as alternatives for living in nursing homes, and also development of more effective methods for services to institutional groups;
- . the Commission's Independent Living Program start at age 16 because there is in existence programs for the young handicapped in Education, in the Crippled Children's Division of the Health Department, and in the Department of Human Resources;
- . the physical conditions for Independent Living be maximized and coordinated with physicians;
- . the Commission in its development of Individualized Written Independent Living Plans describe what progress is anticipated and what the measurable goal is for the client;
- . the Commission develop procedures that would provide immediate response for services;
- . an organized method be developed for assessing needs, such as who are the clients, where they are, what do they need, are there any alternatives, are similar benefits available, should other entities be involved, etc.;
- . a "model" operation be set up as a pilot project due to the restrictive funding situation, and in the model, procedures and practices can be tested and refined and provide a nucleus for expansion and building the I.L. Program; and
- . the Commission establish an organization for administering the I.L. Program within the Texas Rehabilitation Commission.

OTHER BUSINESS

The Committee discussed their feelings regarding the payment of consultation fees and actual expenses. After discussion, it was agreed and passed by majority vote that Committee members would be paid for actual expenses incurred while attending Consultation Committee meetings and that each member would be paid a \$100 per day consultation fee for the number of days the member feels entitled to up to a maximum of two days.

Mrs. Woolseys thoughts on how the handicapped feel about their independence and what independent living does for the handicapped person were typed and distributed.

Copies of Mr. Abernathy's paper, "The Emotional Turmoil of Persons with One or More Disabilities," were given the members of the Committee and will be discussed at the next meeting.

There being no further business, the meeting adjourned at 11:50 a.m.

Texas Rehabilitation Commission



COMMISSIONER FOR REHABILITATION W. K. Harvey, Jr.

January 9, 1979

BOARD MEMBERS

John D. Simpson, Jr.
CHAIRMAN

Mrs. Marjorie C. Kastman
VICE CHAIRMAN

Jack B. Dale, Jr.
J. E. Miller, M.D.

Mr. Lex Frieden
9667 Meadow Vale
Houston, Texas 77713

Dear Mr. Frieden:

This will officially confirm your appointment as Vice-Chairman of the Vocational Rehabilitation Consultation Committee. I appreciate your willingness to serve in this capacity for a one-year term in conformity with the By-Laws adopted by the Committee. You were selected because of your knowledge of the needs of the disabled, your demonstrated dedication, and your leadership ability. I am confident that you will serve with distinction and strive for a meaningful relationship between the Committee and the Commission.

I am looking forward to working with you.

Sincerely,

A handwritten signature in cursive script, reading "W. K. Harvey, Jr.".

W. K. Harvey, Jr.
Commissioner

WKH/gr

cc: Sam Millsap
Bob Blase
Max Arrell
Doyle Wheeler
Helen Goodman

Rehabilitation amendments set increased services through '82

A landmark piece of federal legislation promises a significant increase in services to the handicapped over the next four years.

Approved by Congress and signed by President Carter, amendments to the Rehabilitation Act of 1973 became law on November 6.

Passage of "The Rehabilitation, Comprehensive Services and Developmental Disabilities Amendments of 1978" is only the first step in a rather long process. Still to be accomplished are appropriations pursuant to this authority (probably in the Spring) and regulations for implementation of the law.

But provisions of the bill point to some dramatic changes in TRC's planning for the years immediately ahead. Our budget request for the next biennium is being revised for the Legislature which convenes in January.

The following synopsis of major features in the complex law may provide you with more questions than answers, but closer study in the next few weeks will bring into better focus the new and greater opportunities we will have to assist vocational rehabilitation clients.

Funding of the Rehabilitation Act of 1973 is extended through fiscal year 1982. Authorization levels in the new bill are as follows:

	FY 1979	FY 1980	FY 1981	FY 1982
Basic State Services	\$808 M*	\$880 M	\$945 M	\$972 M
Innovation & Expansion	45 M	50 M	55 M	60 M
Research	50 M	75 M	90 M	100 M
Training	34 M + S	40 M + S	45 M + S	50 M + S
Community Service Employment Programs (Title VI)	35 M	50 M	75 M	100 M
Comprehensive Services for Independent Living (Title VII)	80 M	150 M	200 M	S**

* M — Million

** S — Such Sums as Needed

National Institute for Handicapped Research

The National Institute for Handicapped Research is established to "promote and coordinate research with respect to handicapped individuals." Its director is responsible to the Secretary of HEW or to the same undersecretary as the RSA Commissioner. The Director is a presidential appointee. The basic task of NIHR is to carry out rehabilitation research and research utilization.

Research and Training Centers fall under the NIHR's aegis. Private-for-profit organizations, as well as public agencies, may conduct research within the law.

Training

More authority relative to rehabilitation training is given to the RSA Commissioner rather than to the HEW Secretary. More emphasis is on deaf interpreter training. Twelve grant programs are authorized for training interpreters (five years each).

Comprehensive Rehabilitation Centers

Grants may be awarded on an 80-20 match basis to operate Comprehensive Rehabilitation Centers to provide a broad range of services (vocational, recreational, social and information and referral services).

National Council on the Handicapped

The new law creates a National Council on the Handicapped whose 15 members are presidential appointees. Five of its members are to be either disabled or parents of disabled people. Others are to be chosen from among providers, national organizations, researchers, labor and business. The National Council on the Handicapped will make policy for the National Institute for Handicapped Research. It will advise the RSA Commissioner with respect to RSA policies and it will review policy within the federal government vis-a-vis the handicapped. The staff of the National Council on the Handicapped will number seven people.

(Continued on page 2)

THE commissioner's CORNER

This agency's newly designed newsletter to all employees is presented as another step in a continuing effort to improve our communications. It will become an essential vehicle, I believe, that can help us reach primary objectives of the Commission.



The Comprehensive Rehabilitation Services Amendments of 1978 are complex, but the synopsis here provides an early, if not complete, look at their implications.

The legislation gives no instant boost to our program. We will be on continuing resolution at the same fiscal level as 1978 until a supplemental appropriation bill is approved during the 96th Congress. Then, of course, the Texas Legislature will be fixing our actual appropriation for the upcoming biennium.

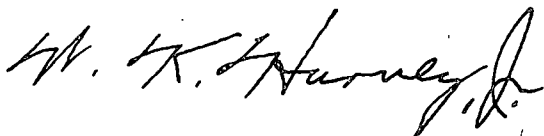
Still, just preliminary projections offer some exciting prospects. Applying our talents to providing a host of additional services to the handicapped and disabled citizens of Texas will be a challenge to all.



The responsibility of providing administrative support to the Governor's Committee on Employment of the Handicapped gives TRC an excellent opportunity to offer help at community levels across the state. Dora Huston will be working with Chairman Sam Millsap and the state committee to establish as many as 20 Mayor's Committees in the coming year. It is obvious what the benefits of such an effort will mean to the people our Commission serves. I urge you to get involved, whenever you are asked, wherever you may be.



Major items in this issue crowded out a personnel column on statewide promotions, retirements and such. We expect to have guest articles from regional directors and others in the months ahead, plus photos and charts and maybe even "letters to the editor" space for sharing suggestions and whatever. Hopefully, you will find information in this letter important and readable, come to look forward to its delivery, and one day ask . . . what did we ever do without it?



AMENDMENTS

(Continued from page 1)

Employment Opportunities for Handicapped Individuals

The law provides for a community service employment program for the handicapped only. State agencies will be able to refer clients to the program which will be administered by the Department of Labor.

Comprehensive Services for Independent Living

This new program is especially designed to meet the needs of the handicapped individual who cannot qualify for the basic VR program. The section is "defined to meet the current and future needs of individuals whose disabilities are so severe that they do not presently have the potential for employment but may benefit from vocational rehabilitation services which will enable them to live and function independently."

People eligible for this program are those who are unable to keep employment and/or to function independently within the family or the community. State agencies may offer eligible clients vocational rehabilitation services and other services toward the goal of independence.

This is a formula grant program and will require a three-year state plan as will the basic state service program. Each independent living rehabilitation client will be provided with an Individualized Written Rehabilitation Program. Twenty percent of each state's funds can be used for grants to local public and private non-profit agencies or organizations for independent living services.

Also provided for are centers for independent living. These centers must have disabled people setting policy and assisting in their administration.

Developmental Disabilities Amendments

The Developmental Disabilities Law has been extended for three years. The law continues to provide for university affiliated facilities and provides state allotments through fiscal year 1981.

The Architectural and Transportation Barriers Compliance Board has been extended within the law and shored up with improved remedies (now includes communications barriers) and increased funding.

Rehabilitation facilities can apply for loans at two percent off the public interest rate guaranteed by the federal government with no more than \$100 million cumulative loan money at any given time.

Projects with industry and business opportunities for the handicapped are provided for prominently in the new law.

Protection and advocacy on individual rights of the disabled is provided for with a fiscal year of 1979 ceiling of \$6 million.

Also, the law commissions **special studies** in at least two important areas: rural rehabilitation and disincentives to employment.

Millsap heads Governor's committee

An executive order issued by Governor Dolph Briscoe on September 29 establishes a new Governor's Committee on Employment of the Handicapped and gives the responsibility for its administrative support to the Texas Rehabilitation Commission.

The previous Governor's Committee received administrative assistance from the Texas Employment Commission and functioned under the leadership of Laurence Melton from 1949 until his death last March.

Governor Briscoe appointed Sam D. Millsap, Sr. as chairman of the Committee for a two-year period. Millsap is a blind businessman in San Antonio who also serves as chairman of TRC's Vocational Rehabilitation Consultation Committee and as a board member of the Texas Commission for the Blind.

The Committee will be composed of a minimum of six members appointed by the Governor who also biennially designates the chairman and vice chairman.

The Commissioner of the Texas Rehabilitation Commission, the Chairman of the Texas Employment Commission and the Executive Director of the Texas Commission for the Blind shall serve as ex officio members of the Committee.

Dora Huston, director of TRC's Employment Resources Section, has been named as Executive Secretary of the Governor's Committee to effect coordination between its chairman and the Commission in providing administrative support. This agency's aid to the Committee should complement our statewide employment resources program.

The Governor's Committee shall make such rules and designate such subcommittees as it determines advisable for the conduct of its business. All state agencies with responsibilities relating to employment and to the handicapped are encouraged to assist and support the Committee.

The Committee's one purpose is to carry on a continuing program to promote employment of handicapped persons in Texas. Working with the President's Committee (national), one of its immediate objectives will be to establish Mayor's Committees (local) throughout the state. Other functions listed in Governor Briscoe's executive order are:

- (1) to cooperate with the Texas Legislature and the President's Committee on Employment of the Handicapped;
- (2) encourage coordination between local, state and federal agencies in their activities to promote the employment of the handicapped;
- (3) inform handicapped persons of programs of rehabilitation, vocational training and job placement available to them;
- (4) inform the public of the vocational abilities and accomplishments of the handicapped;
- (5) inform the public of the benefits to the community when handicapped workers become self-sufficient and self-supporting;
- (6) encourage employer acceptance and placement of handicapped workers;
- (7) conduct conferences and forums for discussion of problems relating to the employment of the handicapped; and
- (8) promote a favorable climate in the business community for employment of the handicapped.

The Committee is expected to meet at least once every six months at the call of the chairman to conduct its business. It shall annually report to the Governor on Committee activities and on the state of employment of the handicapped. The report may include any recommendations believed necessary or desirable to promote the employment of the handicapped.

Legal Services Division

The Board of the Texas Rehabilitation Commission, after study of the Commission's legal obligations under federal and state laws and regulations, directed the establishment of the Legal Services Division to be under the direction of Edward W. Austin, J.D., Assistant Commissioner and composed of Office of General Counsel and an Office for Civil Rights.

Vernon Newman, J.D., is the new General Counsel and George Clark is Director of the Office for Civil Rights.

Position vacancies have been advertised for additional staffing for the positions of Civil Rights Specialist, Secretary, and Clerk. When staffed, the new Office for Civil Rights will provide a needed focal point for civil rights activities to meet legal obligations and be of value in defense of the present EEO lawsuits against the Commission.

TRC NEWS & VIEWS is printed by the Texas Rehabilitation Commission for distribution to its employees throughout the state.

Letters to the editor may be addressed to: Georgia Reeves, Texas Rehabilitation Commission, 118 East Riverside Drive, Austin, Texas 78704, (512) 447-0109



DDD expands professional relations

Significant steps have been taken recently toward full implementation of a Professional Relations Program for TRC's Disability Determination Division.

The program emerged from a long recognized need to develop and maintain the best relationship possible with the medical community of Texas as well as other federal, state and private sources that interface with DDD in connection with the Social Security Disability Program.

The general purpose of the Professional Relations Program is to promote professional awareness of the Disability Program with the medical community, allied health groups and other program related sources to enable timely and qualitative service to disability claimants.

Considering this basic objective, it was early recognized that field operations were warranted with sites in various geographical areas of the state. A plan was developed and actions initiated to establish regional offices in Austin, Dallas/Fort Worth, Houston, Lubbock and San Antonio.

At present, the Professional Relations Department of DDD consists of a Director, five regionally assigned Professional Relations Officers and their respective secretaries (when each position is filled), and 12 medical records technicians located in various hospitals throughout the state.

William E. Crosby has been named as Program Director for Professional Relations, with administrative responsibility also for the DDD Staff Medical Consultant Unit consisting of 22 part-time physicians.

Officers have been placed in Austin, Dallas and Houston and two newly-appointed officers are in training for assignments at Lubbock and San Antonio.

TRC employees selected to serve as Professional Relations officers are: John F. Wright, Austin/Central Texas Region; Myrton L. McDonald, Dallas/North Texas Region; Mary June Kendrick, Houston/Gulf Coast Region; Jack L. Thurman, Lubbock/High Plains/West Texas Region; and Larry C. Cummings, San Antonio/South Texas Region.

The main thrust of Professional Relations activities will be directed toward the vital interface with medical sources. This is indicated by hundreds of requests made daily from the Division for medical reports from treating physicians and medical facilities. DDD also secures current consultative examinations on more than one-third of the claims processed from a panel of more than 1,800 consultant physicians.

Some endeavors include attendance and manning of booths at medical conventions (Texas Medical Association annual convention and, last month, a statewide convention of Family Practitioners at San Antonio), appearing before various medical and allied health gatherings, and actively assisting and working with appropriate sources in the recruiting of new physicians for the Consultation Examination panel.

Also, making liaison contacts and staff visits to various medical sources, Social Security district offices, rehabilitation and other field sources in relation to program needs or problem situations.

Consultation group plans policy input

Members of TRC's statewide Vocational Rehabilitation Consultation Committee listened and looked to special ways they can help the handicapped during an organizational meeting on October 18-19 at the Villa Capri in Austin.

Commissioner W. K. Harvey, Jr. discussed his philosophies regarding the agency's operations and the role of the Consultation Committee. In outlining his charges to the advisory group, Harvey said:

- (1) The Committee should address all problems and issues that are of interest and concern to the Commission and to the handicapped people of Texas;
- (2) The Committee must establish its capability to be of service and develop methods for interchange of information;
- (3) The Committee should be a forum for communicating the position and policy of the Commission on all matters of public interest; and
- (4) The Committee will always have the freedom to tackle any issues it wishes and make recommendations to the Commissioner.

Steve Lane of the RSA regional office in Dallas presented the federal viewpoint on consumer involvement in policy development consultation.

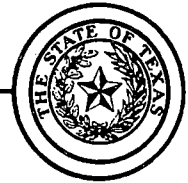
The committee adopted bylaws at the session and developed procedures for making input to the central office.

Bill Blase of San Antonio served as acting chairman in the absence of Sam Millsap. Other members attending were: Bob Boudreaux, Dallas; Don Culwell, San Antonio; Bob Dickson, Midland; Betty Ellis, Wyatt Hall and Michael Moore, Austin; Lex Frieden and Dr. Shelly Liss, Houston; Jim Grey, Fort Worth; and Jack Northrup, Olney.

Northrup, outstanding "one-arm Jack" humorist, presented the meeting's after dinner program.

TRC representatives at the two-day gathering included Commissioner Harvey, Helen Goodman, administrative assistant to the Commissioner and coordinator for the Consultation Committee; Max Arrell, Doyle Wheeler, Dr. Marvin Schlecte, Dale Place, John Fenoglio, Jimmy Jackson, Milton Werner, Dr. Carol Whitcraft and Lois Cooper.

Texas Rehabilitation Commission



COMMISSIONER FOR REHABILITATION W. K. Harvey, Jr.

January 8, 1979

Mr. Lex Frieden
9967 Meadow Vale
Houston, Texas 77063

BOARD MEMBERS

John D. Simpson, Jr.
CHAIRMAN

Mrs. Marjorie C. Kastman
VICE CHAIRMAN

Jack B. Dale, Jr.
J. E. Miller, M.D.

Dear Mr. Frieden:

I am happy to inform you that you have been reappointed as a member of the Texas Rehabilitation Commission Consumer Consultation Committee for a two-year term beginning January 15, 1979, and ending January 15, 1981. I look forward to again working with you and know that we will have a great year with you as Vice Chairman.

Our next meeting will be held February 15 and 16, 1979, at the Commissioner's Conference Room, Texas Rehabilitation Commission, 118 E. Riverside, Austin. The meeting will begin at 1:00 p.m. on the 15th and adjourn at noon on the 16th. If there are topics that you would like to present or have discussed at the meeting, please let me know so that the agenda may be completed.

Enclosed is material for your information. I hope you will find this information both informative and beneficial to you. This will include the Bylaws and the minutes of the last meeting.

At your convenience, it would be appreciated if you would please forward to me a curriculum vitae.

Again, I look forward with pleasure to working with you. If you need assistance in arranging for hotel accommodations or any other arrangements, please feel free to call me at (512) 447-0113.

Sincerely yours,

A handwritten signature in cursive script that reads "Helen Goodman".

Helen Goodman
Administrative Assistant
to the Commissioner

TRC



NEWSLETTER

FROM THE OFFICE OF THE COMMISSIONER

No. 78-2

July 24, 1978

COMMISSION TO REDUCE FIELD AND CENTRAL OFFICE PERSONNEL

During the present fiscal year, the Texas Rehabilitation Commission has served approximately the same number of clients as it did in the previous fiscal year. Actually, the total number of cases in active status is about 10 percent less now than it was a year ago. However, the cost of serving clients this year is up 23 percent over last year.

Since the increase in appropriations for the fiscal year beginning October 1 will not even cover the cost of salary increases available September 1, it is evident that we will not have any more funds for case services than in the current fiscal year.

In order to address this problem we have found it necessary to reduce Commission positions in the field and the central office. We realize that a reduction in personnel is always a traumatic experience, both for management and staff. But steps planned to assist the persons affected should make the move much easier than a comparable cutback in 1975.

We have identified 194 positions in the field to be deleted by December 31. In the central office, 30 positions are now scheduled to be cut by that time. In addition, an inventory is being made of functions in the central office to determine any other positions that can be deleted without impairing the efficiency of the Commission.

Of the 194 field positions to be vacated, 149 are occupied at this time. An additional 44 jobs are being circulated statewide, so that the bottom line is 105 persons affected. Or 4.52 percent.

This agency has a 27 percent annual turnover rate among its 2,320 employees. That amounts to almost 600 positions each year, about 150 each quarter, or 300 between now and December 31.

Regional directors and department heads have been instructed to see that every effort is made to transfer people who have lost positions to other jobs in the Commission as they become vacant. Staff development programs will be established to prepare some for available positions. All affected employees will be assisted in obtaining suitable positions inside or outside the agency.

COMMISSIONER'S EXECUTIVE COMMITTEE CREATED

An Executive Committee was established on May 1 to provide the Commissioner easier access to the counsel of key staff members in their respective areas of expertise in the solution of substantive topics encountered in the administration of the various TRC programs.

It is composed of 12 members and a recorder, namely, Commissioner W. K. Harvey, Jr., chairman; Vernon M. Arrell, Deputy Commissioner for Special Programs; Edward W. Austin, J.D., General Counsel; Marlin Bownds, Assistant Commissioner for Fiscal and Data Services; John Fenoglio, Assistant Deputy Commissioner for General Programs; Clarence Glass, Assistant Commissioner for Personnel; James L. Jackson, Assistant Deputy Commissioner for Special Programs; Frank Martin, Assistant Commissioner for Field Administrative Services; Dale Place, Assistant Deputy Commissioner for the Division of Disability Determination; John O. Robinson, Assistant Commissioner for Purchasing and Supply; Marvin C. Schlecte, M.D., Administrative Medical Consultant; Doyle Wheeler, Deputy Commissioner for General Programs; and Milton H. Werner, recorder, Director of Planning and Technical Programs.

The Executive Committee meets regularly at 8:30 a.m. on the second and fourth Monday of each month. Special meetings are called by the Commissioner at such times and places as becomes necessary for the transaction of business.

The committee is not intended to be a decision-making body, but advises and counsels the Commissioner on matters which have broad ramifications both within and outside TRC. It also serves as a sounding board for proposed changes in policy and procedure.

ADMINISTRATIVE ASSISTANT TO COMMISSIONER NAMED

Helen Goodman has been serving since June as Administrative Assistant to the Commissioner for liaison with consumer organizations, including the statewide Vocational Rehabilitation Consultation Committee and the Governor's Committee on Problems of the Handicapped. She has also been named to represent the Commission on the Secretary of State's Task Force on Voting Rights of the Handicapped. This task force is to develop legislation to protect the handicapped in their voting rights.

Helen was Executive Secretary and then Administrative Assistant to Commissioner Jess M. Irwin, Jr., from September, 1969 through March, 1978. She entered employment with the Texas State Department of Health (1944-1947) and was employed by the Texas Eleemosynary Institutions from 1947 to 1949. When the latter agency became the Board for Texas State Hospitals and Special Schools, Helen served as Executive Secretary to the Commissioner and the Board from 1949 to 1969.

Known as a tireless worker for the handicapped, Helen finds time away from her desk for a dizzying array of professional, service, civic and church activities.

A member of the National Association of Rehabilitation Secretaries, she is a charter member and immediate past president of the Texas Association of Rehabilitation Secretaries.

Helen was named to the Membership Commission of the National Rehabilitation Association after serving two years as membership chairperson of the Texas Rehabilitation Association. She was also TRA's convention committee chairman for recreation and received the "Extra Mile Award, 1976" from that organization.

She is a former board member, secretary and convention chairman of the Texas Public Employees Association. Her other affiliations include the Austin Womens Symphony Society; past president and international representative, Kianns, University Area Kiwanis Club; past president of the Northwest Austin Civic Association; and Sunday School Co-Director and Deacon of First Baptist Church, Austin.

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by W.K. Harvey, Jr.

TRC'S 1977 REPORT TO THE GOVERNOR DISTRIBUTED

The report of Commission activities for fiscal 1977 shows that our vocational rehabilitation and disability determination divisions served a record number of clients and claimants last year.

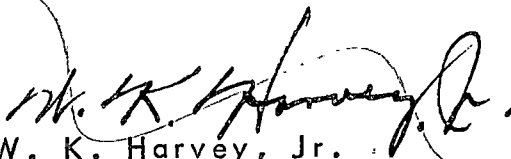
Disability Determination processed almost 156,000 claims for Social Security Disability Insurance and Supplemental Security Income and payments to recipients climbed to \$59.5 million per month.

Vocational Rehabilitation efforts were focused, closer than ever before, on needs of the severely handicapped. One third of the 128,451 individuals served and more than a fourth of 15,982 successfully rehabilitated were in this category.

The average cost per case was up considerably over the previous year while annual earnings of TRC clients increased, before and after rehabilitation, by 533 percent. Services to welfare clients enabled more than 3,000 handicapped Texans to move from a dependence on public assistance to the independence of gainful employment.

It is our objective to further refine the successful programs that have been a hallmark of the Commission's operation since it became an independent agency in 1969. Accomplishments will continue to be presented in a meaningful and graphic way in our annual Report to the Governor.

Sincerely,


W. K. Harvey, Jr.
Commissioner

NOTES
Texas Rehabilitation Commission
REHABILITATION CONSULTATION COMMITTEE MEETING
October 18-19, 1978

The Rehabilitation Consultation Committee of the Texas Rehabilitation Commission met at the Villa Capri Motor Hotel in Austin, Texas, on October 18 and 19, 1978. Bob Blase acted as Chairman in the absence of Sam Millsap, regular Chairman.

* * * * *

The purpose of the Committee meeting at this time was to discuss with Mr. Harvey his philosophies regarding both the agency's operations and the role of the Consultation Committee. Also to hear his charges to the Committee. The second purpose of this meeting was to permit the Committee to organize itself and adopt by-laws. The third purpose was to hear Steve Lane of the RSA Regional Office present the Federal viewpoint on consumer involvement in policy development consultation.

Steve Lane's Comments. Mr. Lane briefly reviewed the staff and staff assignments of the Regional RSA Office and how the RSA representatives coordinate and monitor the various programs in the five Southwest States (Texas, Arkansas, New Mexico, Louisiana and Oklahoma). He discussed the following programs: Developmental Disabilities; Technical Assistance; State Agency Management Review; Program Administrative Reviews; Special Projects; Training; Rehabilitation Facilities; R & T Centers (Texas Tech, TIRR/Baylor School of Medicine and Univ. of Arkansas/Hot Springs); Continuing Education (Dallas, Oklahoma and Hot Springs); and Policy Development and Consultation (consumer involvement). Next, Mr. Lane reviewed the VR Act of 1973 and the impact it has had on administration of vocational rehabilitation. The 1973 Act was developed in a negative manner which was different from previous rehabilitation Acts which were of a positive nature. The 1973 Act brought about the Individualized Written Rehabilitation Program,

review of ineligibles, client assistance programs, and consumer involvement in policy development, which is what this Committee is all about. Mr. Lane provided each of the Committee members present with a copy of the Federal RSM Chapter No. 525, Policy Development Consultation. He reminded the Committee members that, as members of the Rehabilitation Consultation Committee of the Texas Rehabilitation Commission, they are representing all the handicapped people and handicapped interests in Texas, that it would be advisable to keep this in mind at all times when functioning as a member of this Committee.

Commissioner's Comments. Commissioner Harvey welcomed the members present and thanked them for taking time out from their busy schedules to meet these two days in Austin in an effort to organize and prepare for a more active and viable role in advising the Commissioner on matters that concern handicapped persons and the Commission's administration of programs for the handicapped. Next, the Commissioner outlined some of his concerns and areas where he feels the Committee can be a valuable asset by studying problems and issues and making recommendations for resolution, and advising the Commissioner where appropriate. The Commissioner wants to see an interchange developed between the Rehabilitation Consultation Committee and the Commission so there will be a free flow of information, advice and counsel flowing in both directions. Both the Committee and the Commission need input from each other. There have always been barriers of all types which have hindered the handicapped in many ways. No doubt there will always be barriers; however, it should be a Committee priority to advise and assist the Commission to make more progress toward eliminating all types of barriers. Today we have witnessed barriers in setting up this meeting and finding accessible facilities for the Committee members in attendance. Housing is not the barrier problem it once

was but still it needs constant improvement. Buildings and facilities such as motels and hotels still are not accessible to all types of handicapped persons. We need to work with cities and governmental bodies in developing or revising their building codes to remedy unsatisfactory situations. We are constantly made aware of barriers in the provision of transportation. State Department of Highways and Public Transportation studies at this time are addressing the barriers problem in public transportation facilities. We need to develop models for transportation systems for the different categories of disabilities.

The deaf face many communications barriers whereby they cannot express themselves adequately. Another barrier which actually may be the most detrimental and affect more types of handicapped persons is the attitudinal barrier. The Commission staff will welcome suggestions and recommendations for eliminating all types of barriers to the handicapped.

Bob Blase mentioned that in the near future the Texas Monthly magazine publication will carry the accessibility code in relation to facilities, especially restaurants. This will be a start in communicating to the handicapped the accessibility status of such type facilities. This might be encouraged for use in publicizing the accessibility status of other mediums utilized by the handicapped.

Another area where the Commission needs assistance is in obtaining a more realistic Federal legal definition of "severely disabled". In our contacts with other state agency personnel, indications are that interpretations of Federal definitions and reporting of the severely disabled categories are considerably different among the various state reporting agencies.

The Commissioner noted that vocational rehabilitation in Texas started its fiftieth year on October 1, 1978, and that the Commission's FY 79 motto is "Fifty Years of Dedicated Service to Handicapped People in Texas". The Committee members may wish

to communicate this to their communities and localities in the pursuit of programs and services for the handicapped in their localities.

Another item of interest presented by the Commissioner is the development and receipt of the Governor's executive order establishing the Governor's Committee for Employment of the Handicapped and identifying the Texas Rehabilitation Commission as the agency for administrative support. Max Arrell, Deputy Commissioner for Special VR Programs, has been assigned as coordinator for TRC's support to this Committee. Governor Briscoe appointed Sam Millsap as the State Chairman. The Commission is extremely pleased with the Governor's appointments and, working through the Governor's Committee for Employment of the Handicapped, we hope with your assistance and advice to establish Mayor's Committees that would serve as counterparts to the Governor's Committee. There is a definite need immediately for the twenty largest metropolitan cities to establish local Committees for the Employment of the Handicapped. Max Arrell as coordinator will be working with Sam Millsap and the Governor's Committee in the development of guidelines that can be used to assist mayors and city staff to set up these local committees.

The Commissioner provided each member present with a copy of the latest CSAVR Newsletter. The new proposed rehabilitation legislation as agreed upon by the joint conference committee is outlined in this newsletter. We have been in touch with many organizations and individuals having an interest in rehabilitation in Texas, and encouraging them to write letters and communicate with the President to approve and sign the Conference Bill. I believe that all members of this Committee are presently active in this endeavor. Lex Frieden concurred in this action and reminded all those present that it is not too late to write to the President and let him know how we feel about this bill,

and that individuals are not limited to single letters or contacts but write and communicate as many times as your economic situation permits.

The new proposed Rehabilitation Act, if approved, will authorize an Independent Living Program which may or may not track the Commission's Extended Rehabilitation Services Program. The Commission will be ahead of the other states in implementing the Independent Living Program because of the past two years' experience of our Extended Rehabilitation Services Program. The Commission will need the advice and recommendations of the Consultation Committee in the establishment and development of the Independent Living Program as well as other new provisions in the new bill.

Up to this point the Commissioner has discussed and commented on much subject matter and many areas in which he thinks the Commission and the Committee can work together as a team of implementers and advisers.

The Commissioner summarized his presentation by outlining the following charges to the Rehabilitation Consultation Committee:

1. The Committee should address all problems and issues that are of interest and concern to the Commission and to the handicapped people of Texas.
Mr. Harvey believes the Committee can be of service in addressing "gut" issues such as funding, new services, economic need policy, etc., as well as addressing global long-range issues such as legislation.
2. The Committee must organize itself and establish its capability to be of service. The Committee must develop methodology for interchange of information, both internally and externally; also to communicate to the handicapped community authorized information regarding the Texas Rehabilitation Commission and information which is of interest to the handicapped community.

3. The Committee should be a forum for communicating the position and policy of the Commission on all matters of public interest.
4. The Committee will always have the freedom to tackle any issues it wishes and make recommendations to the Commissioner. The Commissioner will consider all such recommendations and take such action as he considers is in the best interest of the Commission and its clients. Lex Frieden commented that this is the third time this Committee has met and that it has not had any work assignments nor has it done anything affecting policy, and that maybe other approaches are needed. We should ask ourselves, "Is a committee the best way to obtain consumer input?" If so, the Committee must have a more meaningful future. Mr. Harvey responded that the next item on the agenda calls for organizing the Committee and adopting by-laws which will be a major step toward structuring the Committee for a more meaningful future in which there will be plenty of business for all concerned. We feel that in TRC we have a very good and productive organization; however, we acknowledge that improvements can always be made and will be made and that we as agency administrators will always be open and flexible to such improvement.

Committee Organization. Bob Blase provided each member present with a copy of proposed by-laws for the Committee to review and study during the evening and be prepared to revise, if necessary, and adopt at tomorrow's meeting. Presently there are no adopted by-laws of the Committee; therefore, the by-laws that we will be considering will be the first for this Committee.

The Committee members were asked for their preference as to meeting dates and times. Mr. Harvey suggested that the Committee consider setting meeting dates for each quarter of the calendar year and also to express their preference for either a one-day

meeting from 8:00 to 5:00, or two half-days such as this, commencing at 1:00 p.m. until noon the following day.

- . The Committee is evenly divided as regards preference for the one full day format versus the two half-days format.
- . The Committee favors Friday for the one full-day type meeting and Thursday and Friday for the two half-day type meetings.
- . The Committee prefers meeting in the second full week of the second month of each calendar quarter.
- . Therefore, the Committee agreed on the following meeting dates in calendar year 1979: February 15 and 16; May 17 and 18; August 16 and 17; and November 15 and 16.

On the second day, the Committee reviewed the proposed by-laws which they received the previous day, and made minor adjustments and revisions, many of which took place in Article VI, Subcommittees. After reviewing all the by-laws, they were adopted by unanimous vote as revised in Committee meeting this date, October 19, 1978. Committee members will be provided with copies of the adopted by-laws. In addition, the members will be provided with a list of all Committee members, with pertinent information regarding each member.

Terms of office of the one, two, and three-year members will commence this date, October 19, 1978.

There were some questions from the members regarding how they should work and communicate in their community, job environment, and area of interest (consumer, vendor, other, etc.). Doyle Wheeler responded that he recalls Mr. Irwin having selected the membership for this Committee to adhere to the principle of general representation, that is, individuals that had a genuine interest in the total rehabilitation effort and

empathy for handicapped persons, and that Committee members would function and carry out their Committee responsibilities in a manner which reflects the interest and concerns of the total handicapped community of Texas. Mr. Harvey added that he recalls from a previous Consultation Committee meeting that the Committee went on record that it intended to be general in nature in its actions and interests.

The meeting was adjourned at 11 AM.



Milton H. Werner, Director
Planning and Technical Programs

NOTE: The above information was developed from informal notes taken during the Committee meeting. Now that the Rehabilitation Consultation Committee has organized and adopted by-laws, future meetings will be recorded by the taking of more formal Minutes.



Bob Blase, Acting Chairman
Director, Goodwill Rehabilitation
Services, San Antonio, Texas

Copies to: RCC Members
TRC Staff Conferees.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01. Note	To: Lex From: Bob Blase [redaction] (1 pp.)	n.d.	C	

Collection:

Record Group: Donated Historical Materials

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WHORM Cat.:

File Location: Texas Rehabilitation Commission '78-'79

Date Closed: 8/8/2016	OA/ID Number: 52061-004
FOIA/SYS Case #: 2016-2624-S	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

(b)(1) National security classified information [(b)(1) of the FOIA]
(b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
(b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
(b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
(b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
(b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
(b)(9) Release would disclose geological or geophysical information



A. J. BOB BLASE
EXECUTIVE DIRECTOR

San Antonio's Vocational Rehabilitation Workshop
P.O. Box 21340, San Antonio, Texas 78221 512/923-7793

Lex —

my unlisted number is



—
busy signal means I'm
here and no answer
means I'm out so
you can dial 1 plus.

BJ —

TEXAS REHABILITATION COMMISSION
CONSUMER CONSULTATION COMMITTEE

3 yr.	Mr. Bob Blase, Chairman Goodwill Rehabilitation Services 3822 Pleasanton Road P. O. Box 21340 San Antonio, Texas 78221 Ph. (512) 924-8581	Shelly Liss, M.D. 7600 Beechnut Rehabilitation Concourse Houston, Texas 77074 Ph. (713) 776-5224	1 yr.
2 yr.	Mr. Lex Frieden, Vice Chairman 9667 Meadow Vale Houston, Texas 77063 Ph. (713) 797-1440	Mr. Sam Millsap 5950 Winding Ridge San Antonio, Texas 78259 Ph. (512) 655-7806	3 yr.
3 yr.	Mr. J. A. Abernathy 7804 Parkland Drive El Paso, Texas 79925 Ph. (915) 772-5897	Mr. Tom Morrison, Exec. Director United Cerebral Palsy 7505 Parwelk Dallas, Texas 75235 Ph. (214) 638-6340	2 yr.
2 yr.	Mr. Don Culwell 1109 S. Gen. McMullen Drive San Antonio, Texas 78237 Ph. (512) 435-6766	Mr. Jack Northrup P. O. Box 582 Olney, Texas 76374 Ph. (817) 564-2284 (Bus.)	1 yr.
1 yr.	Mr. Earl Day 1321 Clay Houston, Texas 77002 Ph. (Bus.) (713) 659-2676 (Res.) (713) 759-1203 (TTY Numbers)	Ms. Shirley K. Price Coordinator for the Handicapped NASA Lyndon B. Johnson Space Center Houston, Texas 77058 Ph. (713) 483-4918	3 yr.
1 yr.	Mr. Bob Dickson 3701 No. Big Spring Midland, Texas 79701 Ph. (915) 563-0271	M. C. Schlecte, M.D. 118 East Riverside Drive Austin, Texas 78704 Ph. (512) 477-0102	1 yr.
1 yr.	Ms. Betty Ellis 5104 Woodmoor Drive Austin, Texas 78721 Ph. (512) 926-8977	Mr. Merle Springer Texas Department of Human Resources John H. Reagan Building Austin, Texas 78701 Ph. (512) 475-2563	2 yr.
3 yr.	Mr. Jim Grey 3400 Hulen Fort Worth, Texas 76107 Ph. (817) 737-6661	Ms. Barbara Trusler 3917 Brook Hollow Abilene, Texas 79605 Ph. (915) 673-2630	3 yr.
2 yr.	Mr. Wyatt Hall Career and Guidance, Inc. 3000 University Avenue Austin, Texas 78705 Ph. (512) 478-7557	Ms. Jane Butler Woolsey 315 Churchill Road Fort Worth, Texas 76114 Ph. (817) 737-0602	2 yr.

Mr. Harney called
Jan. 4, '79

asked me to be Vice
Chair w/ Bob Blaise
Chairman.

said "revamping com."

- Changing composition
- plans to Regionalize later
- will welcome new
suggested members
- Com. should review
state plans (time permitting)
- grant reviewing might
be a good idea
- Helen is fulltime & should
contact groups
- Technical assistance will
evolve as will Helen's
role



BOARD OF TRUSTEES

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Mr. W.K. Harvey
Texas Rehabilitation Commission
118 East Riverside Dr.
Austin, Texas 78704

November 28, 1978

Dear Mr. Harvey,

I am very pleased with your recent expression of support for our Consumer Consultation Committee. As you know, I feel that the Committee has until now served little or no useful purpose. I hope that we will soon be able to demonstrate our usefulness to you and the Commission. I am enclosing some articles on consumer involvement which you may find interesting. You are welcome to duplicate them for distribution to your staff and the other Committee members.

There are a few questions about the Committee which I would like you to address.

- When will replacements of inactive committee members be made?
- Are you soliciting recommendations for replacements from organized consumer groups?
- When will you appoint active persons to chair or cochair the committee?
- What plans do you have to Regionalize the committee or to make it more accessible to the average client?
- What specific role will the Committee play in formulating the next State Plan for VR and separate plan for Independent Living.
- When do you expect these plans to be developed?
- Do you expect the Committee to play a role in reviewing future I & E funding proposals?

THE INSTITUTION FOR REHABILITATION AND RESEARCH

in the Texas Medical Center
1333 MOURSUND AVENUE, HOUSTON, TEXAS 77030
P.O. Box 20095, HOUSTON, TEXAS 77025 (713) 797-1440

A voluntary, not-for-profit hospital for restorative medicine serving the disabled through care, research and education.

SERVICES OFFERED: Early restorative medical care, comprehensive rehabilitation, surgical restoration, diagnostic evaluation and planning, independent living services, vocational evaluation, training, placement, sheltered employment.



- What role do you believe the Committee should play in reviewing training programs and new counselor orientation programs to assure sufficient attention is given matters relating to consumer involvement and client rights?
- Do you expect your committee liason person to be in routine contact with consumer organizations throughout the state?
- What kinds of technical assistance relating to consumer organizations is the liason person expected to provide?
- What other functions will the committee liason person perform? Approximately what percent of their time will be spent on committee activities?

I appreciate your attention to these issues and
I look forward to your early response.

Sincerely,

Lex Frieden

LF/lds
11/28/78

Texas Rehabilitation Commission



COMMISSIONER FOR REHABILITATION W. K. Harvey, Jr.

September 7, 1978

BOARD MEMBERS

John D. Simpson, Jr.
CHAIRMAN

Mrs. Marjorie C. Kastman
VICE CHAIRMAN

John T. Bean
SECRETARY

Jack B. Dale, Jr.
J. E. Miller, M.D.

TO: All Members of the Vocational
Rehabilitation Consultation Committee

FROM: W. K. Harvey, Jr.

SUBJECT: Vocational Rehabilitation Consultation
Committee Meeting

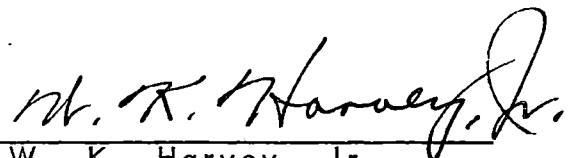
This is my first opportunity to communicate with all members of the Texas Rehabilitation Commission Vocational Rehabilitation Consultation Committee. I want each member of the Committee to know that I support the purposes of the Committee and the objectives and functions of the Committee, which were reflected in the December 17, 1976 meeting of the Committee with key members of our staff. I believe that the Committee is an excellent means of providing beneficiaries of our program with a meaningful voice in policy development. Also, I view the Committee as an excellent vehicle to relate back to the recipients of our services the things the Commission can do and cannot do.

I am happy to announce that I have appointed Mrs. Helen Goodman as an administrative assistant to me for liaison with consumers and the staff person to work with the Committee. Mrs. Goodman is a longtime State employee and has excellent qualifications to assume this responsibility. I have met with your Chairman, Mr. Sam Millsap, of San Antonio, relative to all aspects of the Committee including the scheduling of a meeting. Mr. Millsap asked me to communicate with all members of the Committee relative to an agreeable meeting date. Rather than having a one-day meeting as in the past, I think it would be beneficial to begin the meeting at 1:00 p.m. on one day and adjourn at noon the following day. This arrangement would make it easier for the participants in coming to the meeting and getting back home on the day of the adjournment. Also, I think it would make it nice to have a night function in order that we could become better acquainted with each other. I am suggesting the following dates for consideration - Wednesday and Thursday, October 4 and 5th, or Wednesday and Thursday, October 18 and 19th. Mrs. Goodman will be in touch with each of you to get a consensus

Memo/ All Members of VR Rehabilitation Consultation Committee
Sept. 7, 1978
Page 2.

on which of these two dates would best meet the desires of all Committee members. She will be in touch with each of you shortly. Also, if you have any items that you would like to have considered for the agenda, please communicate with Mrs. Goodman.

I am looking forward to a very worthwhile relationship with the Committee and I am looking forward to our first meeting since I assumed the position of Commissioner.

A handwritten signature in cursive script, reading "W. K. Harvey, Jr.", positioned above a horizontal line.

W. K. Harvey, Jr.
Commissioner

WKH/gr

Texas Rehabilitation Commission



COMMISSIONER FOR REHABILITATION W. K. Harvey, Jr.

September 20, 1978

BOARD MEMBERS

John D. Simpson, Jr.
CHAIRMAN

Mrs. Marjorie C. Kastman
VICE CHAIRMAN

John T. Bean
SECRETARY

Jack B. Dale, Jr.
Clifford S. Knape, Ph.D., C.R.C.
J. E. Miller, M.D.

TO: MEMBERS, VOCATIONAL REHABILITATION
CONSULTATION COMMITTEE

FROM: Helen Goodman

SUBJECT: Meeting - October 18 and 19, 1978

The Vocational Rehabilitation Consultation Committee will meet on October 18 and 19, 1978, at the Villa Capri Motor Hotel, 2400 N. Interregional Highway, in Austin. The meeting will begin at 1:00 p.m. on the 18th and adjourn at noon on the 19th.

Arrangements will be made for our group and their guests to have dinner together on the evening of the 18th at the Villa Capri Restaurant. This will be an excellent opportunity for an informal visit. Please let me know if you plan to attend this dinner, and if you will have guests, so that reservations may be made. I will let you know at a later time what the cost for your dinner(s) will be.

As in the past, members will receive consultation fee of \$100 per day. You will be reimbursed per diem plus 18¢ per mile if traveling by automobile, or airplane coach fare. If an attendant is required, \$50 per day will be paid.

If there are topics you would like to present or have discussed at the meeting, please let me know as soon as possible so that the agenda may be completed.

I am looking forward with pleasure to this meeting and feel that working together, our goals and objectives will emerge.

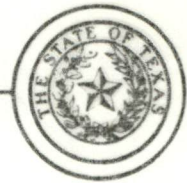
If you need assistance in arranging for hotel accommodations or any other arrangements, please feel free to call me at (512) 447-0113.

Helen Goodman

118 EAST RIVERSIDE DRIVE (512) 447-0100, AUSTIN, TEXAS 78704

An Equal Opportunity Employer

Texas Rehabilitation Commission



COMMISSIONER FOR REHABILITATION W. K. Harvey, Jr. *W. K. Harvey, Jr.*

April 19, 1978

BOARD MEMBERS

John D. Simpson, Jr.
CHAIRMAN

Mrs. Marjorie C. Kastman
VICE CHAIRMAN

John T. Bean
SECRETARY

Jack B. Dale, Jr.
J. E. Miller, M.D.

TO: ALL EMPLOYEES OF THE TEXAS
REHABILITATION COMMISSION

FROM: W. K. HARVEY, JR. *W. K. Harvey, Jr.*

I want to take this opportunity to express my appreciation to each of you for the contribution you are making individually and collectively in serving the disabled citizens of this State through our Vocational Rehabilitation program and Disability Determination program. Through these two programs we touch the lives of over 250,000 people annually. Needless to say, this is a tremendous responsibility and I am keenly aware of this responsibility.

Our programs have the distinction of being among the best in the nation and I want to make them even better through further refinement of our service delivery systems in providing the most efficient, timely and effective service possible. This can only be achieved through the dedicated effort of each of us.

The Board, in appointing me Commissioner, charged me with the responsibility of the Commission's administration and gave me the authority necessary to carry out this responsibility. As your Commissioner I welcome this challenge and I feel that my many years of experience as a Counselor, Supervisor, Regional Director and Deputy Commissioner will prove to be of tremendous benefit to me in dealing with staff and clients. One of my main objectives will be to provide positive leadership in the administration of the affairs of the Commission. If I am to be successful in providing positive leadership, each employee must use a positive approach in dealing with clients as well as fellow employees and I know that I can depend upon each of you in this respect. Another one of my objectives will be to improve our communication system. Communication is a vital necessity in the efficient operation of any organization. There is always room for improvement and the Commission is

Commissioner's Memo

4-19-78

Page 2

no exception. Lack of communication or improper communication causes many problems of which you are all aware. It breeds rumors, malicious gossip, causes complaints, results in administrative errors and most of all ultimately causes a morale problem. I pledge to each of you my sincere effort to devise a meaningful system of communication.

I have instructed the Central Office administration and staff to always direct their efforts toward providing the field staff with the resources, necessary tools and guidance to do the best job possible and I know that I shall be able to depend upon the administration and staff to carry out these instructions.

The organizational plan of the Commission for the present will stay basically the same as it now exists; however, after more studies and evaluations are made some changes may be forthcoming.

Again, I am looking forward to the challenge afforded me by the Board and I hope that in the days and weeks to come I will have the opportunity of meeting each of you. I know that I can depend upon every one of you to join with me in our efforts to continuously improve our capability of serving the disabled of this State.

WKH/gr

BY-LAWS
Texas Rehabilitation Commission
Consumer Consultation Committee

Article I: Name and Purpose

Section 1: Name

The name of this organization shall be "Texas Rehabilitation Commission Consumer Consultation Committee", hereafter called "the committee".

Section 2: Purpose

The Texas Rehabilitation Commission desires to have the views of individuals who are:

1. Recipients of rehabilitation services, or as appropriate, their parents, guardians, or other representatives;
2. Providers of rehabilitation services; and
3. Others active in the field of rehabilitation.

The purpose of this Committee is to provide a means to insure that interested citizens, particularly the direct beneficiaries of the Texas Rehabilitation Commission programs, have a meaningful voice in determining the way in which the rehabilitation program is structured and administered. It is the intent of the Commission to give the people for whom the rehabilitation program is designed full opportunity to participate in policy formulation and initial planning to assure that its programs are relevant to their needs and responsive to their priorities.

The following advantages are expected from involvement of clients, providers, and others in policy formulation and administration:

1. Increased awareness of client needs;
2. Realistic insights as to how various aspects of the State rehabilitation program are functioning and how they might be improved;

3. Establishment of better working relationships between the Commission and clients, providers and other individuals, and organizations active in rehabilitation in the State;
4. Better information sharing and clearer understanding of the Commission's mission, goals, and objectives;
5. Increased and more effective advocacy for the Commission's programs and its program needs; and
6. Establishment of a mechanism to permit continuous external feedback from all segments of the population on current and proposed operations, and plans.

Article II: Function

The Committee shall advise the Commissioner in the following areas of program development and administration:

1. Program evaluation to identify strengths in service that warrant further emphasis, gaps in services, and general and specific effectiveness and efficiency of operations including the formulation of methods and techniques for improving the delivery of rehabilitation services;
2. Program planning and program development---the planning of future programs and the expansion of current programs to close the gaps in service or to improve the effectiveness of the program or programs.
3. Assistance in developing legislative proposals and budgets for submittal to the Texas Legislature, both in their preparation and follow through in hearings before the State Legislative Committees.
4. Assessment of the physical accessibility to handicapped persons of all offices and facilities operated, supported, or used by the Commission, and, as required, formulating plans for making them accessible or more accessible.

5. Assistance in studies and surveys conducted by the Commission or its district and local offices, i.e., data gathering, client sampling, and follow-up.
6. Interpretation of the Commission's policies and program services to their constituencies and to the public at large.
7. Assistance in the Commission's in-service training and staff development programs to aid staff (a) in achieving greater understanding of client problems and attitudes, provider problems, and (b) in maintaining better working relationships with organizations representing clients, providers, and other people engaged in rehabilitation.
8. Assistance to the Commission's efforts to continue in the implementation of the objectives of the 1977 White House Conference on Handicapped Individuals; namely, (a) stimulation of local, state, and national assessment of the problems and potential of persons with physical or mental handicaps; (b) generate local, state, and national awareness of these problems; and (c) development of recommendations for state and national legislative and administrative actions to allow individuals with handicaps to live their lives independently with dignity and with integration into community life.
9. Assistance to the Commission in tapping and securing full utilization of the resources of other public agencies and of private agencies in meeting the needs of handicapped people, particularly severely disabled individuals whose economic, adjustment, medical, housing, and other needs may be the responsibility of these other agencies.

10. Assistance to the Commission in implementing the 1974 Amendments to the Rehabilitation Act, requiring that the State agency and facilities in receipt of assistance under Title I of the Rehabilitation Act "shall take affirmative action to employ and advance in employment qualified handicapped individuals covered under, and on the same terms and conditions as set forth in Section 503".
11. Assistance in the establishment of specialized facilities and programs to be operated by consumer and other groups through funding by the Commission, to meet special needs of the severely disabled applicant or client such as peer counseling, centers for independent living, halfway houses and other transitional living arrangements, transportation and post-employment services.
12. Proposing research to deal with unresolved problems in rehabilitation, and to help assess research proposals in terms of their applicability to the needs and priorities of a particular group of handicapped persons or to handicapped people in general.

Article III: Members

Section 1. Each member of the Committee shall be a person selected because of his/her individual ability to offer sound advice in the areas for which the Committee is charged and who has demonstrated an active and constructive interest in disabled persons.

Section 2. The membership shall consist of clients (or former clients), providers of services, and others interested in rehabilitation. At least one-half of the members shall be handicapped clients or former clients; the remainder shall include providers of services and family members of groups of clients who can not represent themselves.

Section 3. Members of the Committee shall be appointed by the Commissioner with knowledge of such appointments being made known to the Board of the Texas Rehabilitation Commission. Those appointed shall be persons whose vision and interest will enable them to make a significant contribution to the administration of the rehabilitation program.

Section 4. The number of members shall be no less than twelve (12) persons and no more than eighteen (18) persons, excluding ex-officio members.

Section 5. The term of membership shall be for three (3) years beginning with the effective date of the appointment. However, when the initial appointments are made, one-third of the members shall be appointed for three (3) years, one-third for two (2) years, and one-third for one (1) year.

Section 6. Committee members with three (3) consecutive unexplained absences shall be considered as automatically resigned from the Committee.

Section 7. In case of a vacancy created by death or resignation of a member, the Commissioner may appoint an individual to serve the unexpired portion of the term.

Section 8. A member may serve for two (2) consecutive terms by reappointment at the end of the first three (3) year term, but the Commissioner may waive this stipulation and reappoint a member for a third consecutive three (3) year term.

Section 9. The Commissioners and Deputy Commissioners of the Texas Rehabilitation Commission shall be ex-officio members of the Committee. Ex-officio members shall be exempt from tenure and shall not have a vote.

Section 10. The members of the Committee shall be paid a consultation fee plus travel expenses for meetings attended. Travel expense paid will not exceed those allowances which prevail for employees of the Commission.

Article IV: Officers

Section 1. The Committee shall have a Chairman and a Vice-Chairman appointed by the Commissioner for one (1) year. If either officer is reappointed he/she would be eligible to serve another term of office but not to exceed two consecutive terms. The Vice-Chairman serves as Chairman when the Chairman is absent. Should vacancies occur, the Commissioner shall fill such vacancies.

Section 2. The Commissioner appoints staff person who shall serve as Coordinator to the Committee and be responsible for planning meetings, preparing and distributing agenda, maintaining records, reporting to various Committee members concerning items of interest to the members and maintaining liaison between the Commissioner, the Committee, and various interested divisions of the Commission.

Article V: Meetings

Section 1. The Committee shall meet at least once during each calendar year as a minimum and preferably meet once during each quarter of the calendar year, providing the necessity for a quarterly meeting exists, and shall meet at such other times as is deemed necessary by the Commissioner.

Section 2. The Chairman shall confer with the Commissioner concerning the agenda and proceedings of the meetings of the Committee.

Section 3. A quorum for the transaction of business at any meeting of the Committee shall be a simple majority of the Committee members. The act of a majority of the Committee members present shall be the act of the Committee.

Section 4. Robert's Rules of Order shall be the authority on parliamentary Procedure at all meetings.

Article VI: Sub-Committees

Section 1. There shall be four (4) standing sub-committees: Executive, Problem Study, Position Papers, Interagency Relations.

- A. Executive - shall be responsible for such housekeeping chores as shall become necessary to keep the Committee running smoothly and efficiently; and shall consist of Chairman, Vice-Chairman, and Staff Coordinator;
- B. Problem Study - shall be responsible for research and recommendations for action on specific problems within the Commission. Problem Studies are for the Commissioner's use and are not to be disseminated to the public;
- C. Position Papers - shall be responsible for developing public statements on particular positions as adopted by TRC. When a position paper is adopted by the Committee, members are encouraged to disseminate the position paper to the widest possible audience. However, in the absence of a position paper adopted by the Committee, members may not speak for the Committee without prior written approval of the Commissioner.
- D. Interagency Relations - shall develop and maintain liaison with other governmental agencies in order to affect better services for the Commission's clients.

Section 2. When special problems and situations arise which the Commissioner deems inappropriate for the standing sub-committees, the chairman may appoint an ad hoc sub-committee to advise him on the problem or situation.

Section 3. All sub-committees (standing or ad hoc) shall be appointed by the Chairman with the approval of the Commissioner. Individual members of the sub-committee may be appointed from outside the Committee in order to bring to the sub-committee as much specialized knowledge and ability as possible to bear on the specialty involved.

Article VII: Ammendments

Ammendments to the by-laws may be made by simple majority vote of the Committee's members and the approval of the Commissioner.

COMMISSION LETTER 79-1

February 15, 1979

Office of the Commissioner

SUBJECT: CONSERVATION OF FUNDS

A. PURPOSE:

To provide guidance in the conservation of funds.

B. PROCEDURE:

In an effort to conserve available TRC funds, the following procedures are to be observed with strict adherence. These procedures are not to be perceived as relieving any existing requirement, but are to be understood as an addition to existing RSM policy. Effective upon receipt, the below listed will be operational policy:

1. Cancellation of all Staff Development workshops requiring Section 110 funds. Any exception to this policy is to be acquired, in writing, through channels from the appropriate Deputy Commissioner. This does not negate the continuance of supervisory or of regional staff development functions.
2. Authorization for the cost of training services will be limited to a total amount of \$1,000 for any client. Exception: Those cases where prior commitment has been made and is documented by a jointly signed IWRP existent prior to this date. It will be necessary for such requisitions to be signed by the Supervisor, certifying prior commitment. NO VERBAL COMMITMENTS
WRITTEN
3. There will be no authorization to purchase books and supplies for academic training. Any (exception) to such will require the approval of the Regional Director on the requisition. Where Counselors have made a prior commitment to purchase books and supplies, written notice will be made to the clients providing adequate time for the development of alternate methods.
4. No service will be provided to a "trauma case" or emergency condition (except intercurrent illness) until at least 30 days have passed from the date of onset. Any exception must be approved through a memorandum by the Regional Director after consultation with the Administrative Medical Consultant.
5. No increase is to be authorized in any standardized fees such as those found in the Facility Standards, MAPS, or RSM.
6. Negotiated medical fees must be approved, in writing, by the Administrative Medical Consultant with copies directed to the Regional Director and appropriate Assistant Deputy Commissioner. Regional Director override will consummate this procedure.

7. There will be a freeze on the hiring of any new personnel or replacement, unless there is approval by the Commissioner, Deputy Commissioner, Assistant Commissioner, or Assistant Deputy Commissioner, whichever is appropriate. TRC Form 4 will be required when filling one of these positions. This policy includes personnel in both the field and Central Office.
8. Travel reimbursement for the attendance of professional organizational meetings is to be ceased except where advance written approval is provided by the appropriate Deputy Commissioner. Request for approval will be through the usual channels.-R.O.
9. Out-of-state travel of all employees, regardless of funding source, is precluded except that approved by the Commissioner through the appropriate channels.
10. Expenditure for any capital outlay purchase will be limited to stock that exists in the Warehouse.
11. The Supervisor will approve, by signature, every original and amended IWRP. This signature certifies the presence of a disability, vocational handicap, and the provision of appropriate and meaningful services. The Supervisor, before signing, should specifically address the efficiency of the planned services. Outlined case service review requirements referenced in the RSM will hereby be suspended in lieu of the above.
12. Requisitions for halfway house services will not exceed 90 days. Extension beyond this period will require the approval of the Supervisor on the requisition.
13. It should be understood by all staff that the projected expenditure of the severely disabled-diagnostic budget is being diminished at an alarming rate. When expenditures for this quarter reach 100 percent of the budgeted amount for severely disabled and diagnostic services, expenditure of funds will cease in this category. Any exception to this will require Regional Director override.

It is hopeful that through the above conservation methods the Commission will be able to provide services to the handicapped for a greater period of time during fiscal year 1979. Utilization of similar benefits is highly critical.

DISTRIBUTION:

To all Holders of the Commission Letters.

EXPIRATION DATE:

September 30, 1979