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Subseries:

OA/ID Number: 52061
Folder ID Number: 52061-009

Folder Title:
Texas Rehabilitation Commission Papers [1977-1977] [2]

Stack: **Row:** **Section:** **Shelf:** **Position:**

WORKING PAPER
ON REHABILITATION CONSULTATION COMMITTEE
OF THE TEXAS REHABILITATION COMMISSION
Prepared by Edward W. Austin, General Counsel

COMMISSION LETTER 76-

November 1, 1976

Office of the Commissioner

SUBJECT: REHABILITATION CONSULTATION COMMITTEE OF THE TEXAS REHABILITATION COMMISSION

PURPOSES

In the development of policies and procedures for administration of the vocational rehabilitation program the Texas Rehabilitation Commission desires to have the views of individuals who are:

1. Recipients of vocational rehabilitation services, or as appropriate, their parents, guardians, or other representatives;

2. Providers of vocational rehabilitation services; and

3. Others active in the field of vocational rehabilitation.

The purposes of this Commission Letter are (a) to establish a Rehabilitation Consultation Committee comprised of the above named representation and (b) to set forth the policies and procedures governing the Committee's activities.

OBJECTIVES

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

It is felt that the following advantages can result 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 vocational rehabilitation program are functioning and how they might be improved;

3. Establishment of better working relationships between the agency and clients, providers and other individuals, and organizations active in rehabilitation in the State;

4. Better information sharing and clearer understanding of the State agency's mission, goals, and objectives;

5. Increased and more effective advocacy for the State agency'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.

FUNCTIONS OF THE REHABILITATION CONSULTATION COMMITTEE

It is anticipated the Committee will provide advice in the following areas of program development and administration:

1. Program evaluations to identify strengths in services that would 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 vocational rehabilitation services.

2. Program planning and program development--the planning of future programs and the expansion of current programs to close 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 State Legislature, both in their preparation and follow through in hearings before the State legislative committees.

4. Assessment of the physical accessibility to the handicapped 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 being conducted by the Commission or its district and local offices, i.e., data gathering, client sampling, and follow-up.

6. The interpretation of 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 in achieving greater understanding of client problems and attitudes, providers' problems and in maintaining better working relationships with organizations representing clients, providers and other people engaged in vocational rehabilitation.

8. Assistance to the Commission in whatever role it may have in State and local activities leading up to the White House Conference on Handicapped Individuals, and assistance to the Commission in the implementation of recommendations, having State relevance, resulting from such activities and conferences.

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 the handicapped, particularly the severely disabled 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 the 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 vocational rehabilitation, and to help assess research proposals in terms of their applicability to the needs and priorities of a particular group of handicapped people or to handicapped people in general.

MEMBERS

1. Each member of the Committee shall be a person selected because of his 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 the disabled person.

2. The membership will consist of clients, providers of services, and others interested in vocational rehabilitation whose vision and interest will enable them to make a significant contribution to the administration of the vocational rehabilitation program.

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.

4. The number of members will be no less than twelve (12) and no more than twenty (20), excluding ex officio members.

5. The term of membership shall be for three (3) years beginning with the effective date of appointment. However, when the initial appointments are made, one-third of the members will be appointed for three (3) years, one-third for two (2) years and one-third for one (1) year. The effective date of the initial appointment is November 1, 1976, with tenure ending on the appropriate 31st of October, according to the length of appointment.

6. 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 that term.

7. 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.

8. The Commissioner and Deputy Commissioners to the Texas Rehabilitation Commission are ex officio members of the Committee. Ex officio members are exempt from tenure and will not have a vote.

9. The members of the Committee may be paid a consultation fee plus travel expenses for each meeting attended. Travel expense paid will not exceed those allowances which prevail for employees of the Commission.

OFFICERS

1. The Committee will have the following officers - Chairman and Vice-Chairman appointed by the Commissioner will serve for the length of their appointment time or three (3) years, whichever occurs first. If either officer is reappointed he would be eligible to serve another term of office but not exceed two consecutive terms. The Vice-Chairman serves as Chairman when the Chairman is absent. Should vacancies occur, the Commissioner will fill such vacancies.

2. Mr. W. K. Harvey, Jr., shall serve as Secretary to the Committee and be responsible for planning meetings, preparing and distributing agenda, maintaining records, reporting to the various Committee members concerning items of interest to those members and maintaining liaison between the Commissioner, the Committee, and various interested divisions of the Commission.

MEETINGS

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.

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

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 at the meeting at which a quorum is present shall be the act of the Committee.

COMMITTEE

1. When special problems arise in a special area in the administration of the vocational rehabilitation program, the Commissioner may

appoint ad hoc subcommittees to advise concerning these problems. The Chairman of such an ad hoc committee will be a member of the Rehabilitation Consultation Committee who is knowledgeable in the specific problem area. Individual members may be appointed from outside the Rehabilitation Consultation Committee in order to bring as much specialized knowledge and ability as possible to bear on the specialty this involves.

9667 Meadowvale
Houston, Texas 77063

August 4, 1976

Congressman Joe A. Hubenak
State Representative
P. O. Box 688
Rosenberg, Texas 77471

Dear Congressman Hubenak:

Thank you for providing me and other Houston consumers of rehabilitation services the opportunity to express our opinions and suggestions about rehabilitation in general and Texas Rehabilitation Commission in particular. I hope you view our testimony as constructive and I hope you will call upon us more often in the future.

It is my personal opinion that the Legislature should appoint a Citizens Advisory Board to be made up of consumers of rehabilitation services. This group would report directly to the Legislature. It would be responsible for reviewing the activities of TRC and related agencies. This appears to me to be the only way to insure consumer input and agency accountability.

I am enclosing a copy of key points of my testimony before your committee which I hope you will share with the other members. I am also enclosing a copy of my resume for your reference.

I appreciate your efforts in behalf of rehabilitation and I would be pleased to assist you in any way I can.

Sincerely,

Lex Frieden
New Options Research Director

LF/asm

Texas Rehabilitation Commission

COMMISSIONER FOR REHABILITATION Jess M. Irwin, Jr.

March 24, 1976

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.
Jerry E. Miller, M.D.

Mr. Lex Frieden, Secretary
American Coalition of Citizens
with Disabilities
9667 Meadowvale
Houston, Texas 77042

Dear Mr. Frieden:

At long last the Commission method for consumer involvement in policy development has been reduced to writing as Commission Letter 76-10 "Policy Development Consultation" dated March 18, 1976. A copy of the Commission Letter is attached for your information.

In a related matter, I might mention that it is my understanding that Mr. Sam Millsap of San Antonio has been appointed by the Governor as Director for Texas for the White House Conference on Handicapped Individuals.

I am sending Mr. H. B. Simmons, Director, Office of Rehabilitation Services in Dallas, a copy of this letter since he asked that I make a copy of the Commission plan for policy development consultation available to you upon its preparation.

Sincerely yours,

Edward Austin

Edward W. Austin
General Counsel

EWA/js
cc: Jess M. Irwin, Jr.
H. B. Simmons

COMMISSION LETTER 76-10

March 18, 1976

Office of the Commissioner

SUBJECT: POLICY DEVELOPMENT CONSULTATION

A. REFERENCE:

1. The Rehabilitation Act of 1973, as amended.

2. The Federal Rules and Regulations, Section 1361.19.

3. The State Plan for Vocational Rehabilitation Services, Section 9.2.

B. PURPOSE:

The purpose of this Commission Letter is to transmit to the Commission Staff a copy of the Commission's written description of Methods and Practices for Policy Development Consultation.

C. PROCEDURE:

The methods and practices of the Commission for Policy Development Consultation (Consumer Involvement) are described in the attached document, Subject: Methods and Practices for Policy Development Consultation.

D. DISTRIBUTION: Holders of the RSM plus W.C. Crosby and DDD Directors.

E. EXPIRATION DATE: December 31, 1976.

MHW:sm
Attachment

TEXAS REHABILITATION COMMISSION

METHODS AND PRACTICES

FOR

POLICY DEVELOPMENT CONSULTATION

March 15, 1976

Prepared in compliance with the FEDERAL RULES AND REGULATIONS Section 1361.19 Policy Development Consultation. ". . . the State agency will establish in writing and maintain a description of the methods to be used to obtain and consider (consumers and providers) views on policy development and implementation and will assure that such description will be available to the public."

PURPOSE

The purpose of this document is to describe the methods of the Texas Rehabilitation Commission for obtaining and considering the views of recipients and providers of vocational rehabilitation services and others active in the field of vocational rehabilitation.

OBJECTIVES

By obtaining and considering the views and opinions of clients, providers and other individuals interested in Vocational Rehabilitation (VR) for policy development, the Commission plans to achieve the following objectives. They are:

- to obtain realistic insight as to how various aspects of the VR program are functioning and how they might be improved;
- to establish better working relationships between the Commission and clients, providers and other individuals and organizations active in vocational rehabilitation in Texas;
- to obtain external feedback from pertinent segments of the population on current and proposed rules for administering the VR programs in Texas;
- to develop a closer understanding of the vocational rehabilitation mission, goals and objectives; and
- to increase awareness of client needs and problems.

BACKGROUND

Since its creation, the Commission has been concerned about the appropriate utilization of ideas and suggestions from consumers and providers of vocational rehabilitation services. Therefore, the Commission has established several methods and practices involving clients, service providers and others in developing policy and procedure for administering the Commission's vocational rehabilitation program. This has been done by involving professional groups, service providers, clients and their organizations, civic groups and concerned individuals and agencies in policy formulation, program planning, statewide surveys, public information, and in related program activities. It has been the Commission's intent to give the people for whom the programs are designed full opportunity to participate in policy formulation and program planning to assure that VR programs are relevant to their needs. The methods and practices that the Commission has established to obtain and consider not only ideas and suggestions but also complaints, grievances and client dissatisfactions in general, are described below.

DESCRIPTION OF METHODS

A. General Methods. The following are brief descriptions of general methods and practices utilized by the Texas Rehabilitation Commission for obtaining and considering the view of individuals and groups in policy development and implementation.

1. "Open Door" Policy. The Commission maintains an "open door" policy with free access to the Board members, the Commissioner and the Commission staff. This open door policy is well publicized and continues to be very effective because all individuals, whether clients, vendors or employees, are able to approach key Commission administrators for discussing all problems or situations.

2. Annual TRA Conference. The Texas Rehabilitation Association (TRA) conducts an annual conference for the benefit of its members and rehabilitation interests in Texas. Among others the TRA membership includes rehabilitation clients, consumers, providers of rehabilitation services, most all Texas Rehabilitation Commission professional employees as well as the professional employees of the Commission for the Blind, and other individuals and professionals interested in rehabilitation in Texas. This annual conference provides the Commission with broad-based information, advice and opinion regarding services, programs, consumer needs and problem areas for use in improving and strengthening the Commission's programs for rehabilitation in Texas.

3. Rules. The Rules of the Texas Rehabilitation Commission, as required by the Administrative Procedure and Texas Register Act, are published in the Texas Register and available to the public for review, comment, criticism, etc. The

Commission Rules set forth the general methods and procedures by which the Commission administers the general vocational rehabilitation program in Texas.

4. State Plan. The Commission's State Plan for Vocational Rehabilitation Services contains assurances that the Commission will comply with the Federal Vocational Rehabilitation Act and the Federal Rules and Regulations. Each year the State Plan is updated with all major revisions being processed through the Project Notification and Review System as required by OMB Circular A-95. This circular requires that all grant requests for Federal funds be processed through the review system which permits interested individuals, organizations and other state agencies the opportunity to comment and provide input for consideration by the Governor's Office, by the Board of the Texas Rehabilitation Commission, and by the Regional Office in Dallas prior to final approval of the annual State Plan revisions.

5. Appeals. The Commission has published procedures for receiving and processing complaints and grievances from whatever source. The appeals procedures are explained to VR applicants and clients at the time of preparing the application for VR services, and a special Commission pamphlet has been prepared for applicant/clients to further their understanding of the appeal process. Evidence received during the administrative hearings provides the Commission with meaningful information regarding the effectiveness and/or noneffectiveness of its programs and its employees.

6. Research Related to Training. Research studies conducted by the Commission's Research Section provide the Commission with (a) data relative to VR client training, (b) evaluation of the provider of the training services, (c) the vendor's

evaluation of the client and (d) the client's evaluation of consumer services.

B. Specific Methods (Client/Consumers). The following are specific methods and practices utilized by the Commission for obtaining and considering the view of clients, consumers and their advocates for policy development.

1. Program Evaluation. The Program Evaluation Section of the Commission conducts regular evaluations of the Commission's programs and activities throughout the State. The "post-closure" evaluation survey conducted by this section provides analysis of the quality of rehabilitation closures in terms of employability, client satisfaction, employer satisfaction, appropriateness of training, and permanence of employment. This type survey, which includes interviews with all clients and employers involved, provides excellent information to the Commission administration regarding not only the quality of work being done by professional personnel in the field but also obtains the views of consumers and providers as well.

2. Post-Closure Surveys. The Research Section of the Commission conducts an annual post-closure survey of 10% of the clients stratified by disability categories, to ascertain the adequacy of VR services from the client's viewpoint one year following closure from rehabilitated and nonrehabilitated statuses. This survey reaches about 3,000 clients annually and results in feedback from them regarding their degree of satisfaction with the Commission's rehabilitation program. Surveys of special groups of clients such as all self-employed clients, clients receiving vocational training, and deaf or hard of hearing clients are conducted annually to provide consumer satisfaction data.

3. Individualized Written Rehabilitation Program (IWRP). All clients that are found eligible for vocational rehabilitation services have the opportunity to participate in the development of their rehabilitation program with the Commission. This is done at the time of preparing the client's IWRP as required by statutes. In instances where clients are not capable of this participation, their parents or other advocates participate in developing the IWRP.

4. Program Specialists. Within the General and Special Programs Divisions, the Commission has established program specialist functions for the purpose of providing guidance and consultative services to both vocational rehabilitation administrators and counselors in the field and in the Central Office. Program Specialists are assigned special areas of responsibility and are responsible for planning, developing programs and making recommendations in their areas of specialization. These Program Specialists develop indepth knowledge of all aspects pertaining to their specialty area of responsibility including available resources, availability of funds and the needs and problems of the clientele to be served by the programs for which they have responsibility. They maintain continuous contact with, and develop working relationships with, sheltered workshops, halfway houses, rehabilitation facilities and other providers of services, other state agencies which complement VR programs, and with private health associations and consumer groups that have an interest in rehabilitation and handicapped people. The program specialist function has provided a vital linkage between the Commission's program administrators and counselors and the clients

who benefit from vocational rehabilitation programs, as well as with the providers of vocational rehabilitation services.

The following special areas of responsibility have Program Specialists assigned: College and University; Comprehensive Employment Training Act (C.E.T.A.); Epilepsy; Hearing Impaired; Homebound/Self-Employment; Migrant; Severely Disabled; Social Security Disability Insurance Beneficiaries; Supplemental Security Income Recipients; Alcoholism; Adult Correctional; Juvenile Correctional; Drug Addiction; Mental Health; Mental Retardation (includes Cooperative School Program, state schools and community centers); and Welfare.

Following is a partial list of organizations and associations of consumer interest groups with whom Program Specialists work at various times on both general and specific concerns of mutual interest. In the case of many of these associations, written agreements have been executed to express the participation of the Commission and the association in a joint effort to assist the handicapped.

Programs for Public Offender Clients

Texas Corrections Association
New Directions Club, Inc.
One America, Inc.
Citizens United for Rehabilitation of Errants (C.U.R.E.)
Texas Institute on Children and Youth

Programs for Mental Health Clients

The Mental Health Association
MH and MR Community Centers
State Hospitals
Texas Commission on Alcoholism
State Programs on Drug Abuse
Regional Alcoholism and Drug Abuse Planners
Halfway Houses and Sheltered Workshops for Mentally Impaired

Programs for Mentally Retarded Clients

The Austin Association for Retarded Children
The Texas Association for Retarded Children
The Texas Association for Children with Learning Disabilities
Texas Council for Exceptional Children

Programs for the Deaf and Hearing Impaired Clients

The National Association of the Deaf
Professional Rehabilitation Workers with the Adult Deaf
Registry of Interpreters for the Deaf
Texas Association of the Deaf
Parent/Professional Section of the Texas Assoc. of the Deaf
Texas Society of Interpreters for the Deaf
Coalition of Texas Organizations Serving the Deaf

The Commission's Program Specialist for Deaf and Hearing Impaired Programs also serves on advisory councils of the following:

Tarrant Co. Services for the Hearing Impaired
Eastfield College
Central Texas Regional Day School Program for the Deaf
Statewide SOS Advisory Committee (for development of uniformity in communication relating to educational settings)
National Interpreter Training Consortium (Texas)

In recent years there has been increased emphasis on serving individuals with severe disabilities. The Commission established a Program Specialist position for the purpose of developing programs and services for the benefit of severely disabled individuals. The nature of this Program Specialist's work requires him to work closely with consumers and consumer organizations. The following list includes organizations that he deals with on a fairly regular basis. Their membership consists almost entirely of consumers.

Lone Star Chapter of the National Paraplegia Foundation - Ft. Worth
M.I.G.H.T. (Mobility Impaired Grappling Hurdles Together) - Austin
Coalition for Barrier Free Living - Houston
University of Texas at Arlington Handicapped Students Association - Arlington
Little People of American (Chapters in several locations)
Free Lives, Inc. - Houston
Independent Life Styles, Inc. - Houston

The Program Specialist for the Severely Disabled also works regularly with private health associations that are not specifically consumer groups but do have strong consumer participation in the local chapters. Examples of these health associations are: Epilepsy Foundation of America, United Cerebral Palsy, Muscular Dystrophy Association, Multiple Sclerosis Society, American Cancer Society and the International Association of Laryngectomees.

5. Private Organizations and Associations. The Commission authorizes certain staff members to attend association meetings for consumers, consumer interest groups, and providers of VR services and local and state chapters of National associations. These staff members become actively involved in these organizations and have an opportunity to learn of the needs and problems of these disability groups and obtain feedback from consumers of VR services.

6. Handicapped Texas Rehabilitation Commission Employees. As of January 1, 1976 there were 353 handicapped individuals employed in the Texas Rehabilitation Commission. Most all disability groups are represented in this group of handicapped employees. These employees in their daily activities assist Commission administrators to develop policy and programs for the benefit of all the disabled.

7. Review of Ineligibles. The Commission has initiated a program for reviewing Status 08 closures. This status applies to individuals who have applied for VR services in the past but were found ineligible for specific reasons. This review program requires VR Counselors to follow up on individuals of this type to see if their condition has changed to the degree that they may now be eligible for VR services.

8. Legal Service. The attorneys in the Office of the General Counsel attend symposiums and provide guidance on legal rights and concerns of the client. The Office of General Counsel monitors the administrative hearing process to ensure protection of the client's rights.

C. Specific Methods (Vendors/Providers). The following are specific methods and practices utilized by the Commission for obtaining and considering the views of vendors and providers of rehabilitation services for policy development.

1. Evaluation of Vendors' and Employers' Satisfaction. The Program Evaluation Section of the Commission regularly conducts evaluations of training vendors and employers of Commission clients. These evaluations provide data regarding the client, training, the employment, and client and employer satisfaction.

2. Rehabilitation Facilities Advisory Conferences. The Facilities Section sponsors two annual conferences for facility directors who serve as a committee of the whole in reviewing facility programs, changes or pending changes in the Standards for Rehabilitation Facilities, and makes recommendations to the Facilities Section. These recommendations are then incorporated in proposals for changes in the Standards for Rehabilitation Facilities and priorities for facility services after approval of the administration.

3. Medical Consultation Committee. The general purpose of the Committee is to bring together many of the various specialties and disciplines involved in providing medical examinations, consultations and restorative services for the disabled, in order that their broad range of knowledge may be made available and used by those responsible for administering the medical aspects of the Vocational Rehabilitation Program and the Social Security Administration Disability Insurance Program. The Committee is to advise the Commissioner concerning policies and standards for provision of quality medical care, physical restoration, fees for medical and surgical services, and rates for hospital care. The Committee is to assist in maintaining constructive relations with the medical profession and hospitals in the State and interpreting the Vocational Rehabilitation and Disability Determination Programs to the medical profession and medical or related institutions.

4. Halfway House Committee. In developing the standards for halfway houses, the Commission utilized a Halfway House Advisory Committee to assist in developing the standards and fees to be charged in such facilities. The committee was composed of owners and operators of various halfway house facilities throughout Texas.

D. Advisory Committees. In selected instances, the Commission has found it beneficial to use advisory committees in conjunction with specific projects and objectives, usually in a local or regional area. An advisory committee was utilized to assist the Commission in administering the project for vocational rehabilitation services to handicapped migrants in the Panhandle area. An advisory committee was also utilized in the El Paso area for assisting the Commission in the administration of the alcoholic rehabilitation program in El Paso. In the Fort Worth/Tarrant County area, the Tarrant County Association for Retarded Children, the Lone Star Chapter of the National Paraplegia Foundation, and the local chapter of the Epilepsy Foundation all provide active consultation and advice to the Commission's regional VR administration, most of whom are members of these and other health associations.

AVAILABILITY TO THE PUBLIC

A copy of this document is being sent to the holders of the Commission's Administrative Operating Procedure Manual and to the Regional Office of the Rehabilitation Services Administration in Dallas.

A copy is being placed in the public reference file in the Office of the General Counsel of the Central Office of the Texas Rehabilitation Commission at 7745 Chevy Chase Drive, Austin, Texas 78752.

Copies of this document are available to the public upon request to the Commissioner of the Texas Rehabilitation Commission.

TEXAS REHABILITATION COMMISSION

Staff Development

EXPENSE RECORD

Name: Lex Frieden

Position/Agency: _____

Address: 9667 Meadowdale
Houston, Texas 77063

Period Covered: _____

Purpose of Travel: _____

Transportation:

Mileage by car, round trip: 330 miles @ 16¢/mile = $ 52.80

Air fare (Coach), round trip: $ _____

Limousine, taxi, etc. $ _____

Lodging: 31.24 (Daily Cost) 1 (Number of Days) Total: $31.24

Meals: $20.00+12.00 (Daily Cost) 2 (Number of Days) Total: $32.00

Other: (explain) totals above include attendant. Driver's expense absorbed personally.

I certify that information given above is true and correct, to the best of my knowledge and recollection.

[signature]

12-18-76
Date

COMMISSION LETTER 76-10

March 18, 1976

Office of the Commissioner

SUBJECT: POLICY DEVELOPMENT CONSULTATION

A. REFERENCE:

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2. The Federal Rules and Regulations, Section 1361.19.

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E. EXPIRATION DATE: December 31, 1976.

MHW:sm
Attachment

TEXAS REHABILITATION COMMISSION

METHODS AND PRACTICES

FOR

POLICY DEVELOPMENT CONSULTATION

March 15, 1976

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Commission Rules set forth the general methods and procedures by which the Commission administers the general vocational rehabilitation program in Texas.

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B. Specific Methods (Client/Consumers). The following are specific methods and practices utilized by the Commission for obtaining and considering the view of clients, consumers and their advocates for policy development.

1. Program Evaluation. The Program Evaluation Section of the Commission conducts regular evaluations of the Commission's programs and activities throughout the State. The "post-closure" evaluation survey conducted by this section provides analysis of the quality of rehabilitation closures in terms of employability, client satisfaction, employer satisfaction, appropriateness of training, and permanence of employment. This type survey, which includes interviews with all clients and employers involved, provides excellent information to the Commission administration regarding not only the quality of work being done by professional personnel in the field but also obtains the views of consumers and providers as well.

2. Post-Closure Surveys. The Research Section of the Commission conducts an annual post-closure survey of 10% of the clients stratified by disability categories, to ascertain the adequacy of VR services from the client's viewpoint one year following closure from rehabilitated and nonrehabilitated statuses. This survey reaches about 3,000 clients annually and results in feedback from them regarding their degree of satisfaction with the Commission's rehabilitation program. Surveys of special groups of clients such as all self-employed clients, clients receiving vocational training, and deaf or hard of hearing clients are conducted annually to provide consumer satisfaction data.

3. Individualized Written Rehabilitation Program (IWRP). All clients that are found eligible for vocational rehabilitation services have the opportunity to participate in the development of their rehabilitation program with the Commission. This is done at the time of preparing the client's IWRP as required by statutes. In instances where clients are not capable of this participation, their parents or other advocates participate in developing the IWRP.

4. Program Specialists. Within the General and Special Programs Divisions, the Commission has established program specialist functions for the purpose of providing guidance and consultative services to both vocational rehabilitation administrators and counselors in the field and in the Central Office. Program Specialists are assigned special areas of responsibility and are responsible for planning, developing programs and making recommendations in their areas of specialization. These Program Specialists develop indepth knowledge of all aspects pertaining to their specialty area of responsibility including available resources, availability of funds and the needs and problems of the clientele to be served by the programs for which they have responsibility. They maintain continuous contact with, and develop working relationships with, sheltered workshops, halfway houses, rehabilitation facilities and other providers of services, other state agencies which complement VR programs, and with private health associations and consumer groups that have an interest in rehabilitation and handicapped people. The program specialist function has provided a vital linkage between the Commission's program administrators and counselors and the clients

who benefit from vocational rehabilitation programs, as well as with the providers of vocational rehabilitation services.

The following special areas of responsibility have Program Specialists assigned: College and University; Comprehensive Employment Training Act (C.E.T.A.); Epilepsy; Hearing Impaired; Homebound/Self-Employment; Migrant; Severely Disabled; Social Security Disability Insurance Beneficiaries; Supplemental Security Income Recipients; Alcoholism; Adult Correctional; Juvenile Correctional; Drug Addiction; Mental Health; Mental Retardation (includes Cooperative School Program, state schools and community centers); and Welfare.

Following is a partial list of organizations and associations of consumer interest groups with whom Program Specialists work at various times on both general and specific concerns of mutual interest. In the case of many of these associations, written agreements have been executed to express the participation of the Commission and the association in a joint effort to assist the handicapped.

Programs for Public Offender Clients

Texas Corrections Association
New Directions Club, Inc.
One America, Inc.
Citizens United for Rehabilitation of Errants (C.U.R.E.)
Texas Institute on Children and Youth

Programs for Mental Health Clients

The Mental Health Association
MH and MR Community Centers
State Hospitals
Texas Commission on Alcoholism
State Programs on Drug Abuse
Regional Alcoholism and Drug Abuse Planners
Halfway Houses and Sheltered Workshops for Mentally Impaired

Programs for Mentally Retarded Clients

The Austin Association for Retarded Children
The Texas Association for Retarded Children
The Texas Association for Children with Learning Disabilities
Texas Council for Exceptional Children

Programs for the Deaf and Hearing Impaired Clients

The National Association of the Deaf
Professional Rehabilitation Workers with the Adult Deaf
Registry of Interpreters for the Deaf
Texas Association of the Deaf
Parent/Professional Section of the Texas Assoc. of the Deaf
Texas Society of Interpreters for the Deaf
Coalition of Texas Organizations Serving the Deaf

The Commission's Program Specialist for Deaf and Hearing Impaired Programs also serves on advisory councils of the following:

Tarrant Co. Services for the Hearing Impaired
Eastfield College
Central Texas Regional Day School Program for the Deaf
Statewide SOS Advisory Committee (for development of uniformity in communication relating to educational settings)
National Interpreter Training Consortium (Texas)

In recent years there has been increased emphasis on serving individuals with severe disabilities. The Commission established a Program Specialist position for the purpose of developing programs and services for the benefit of severely disabled individuals. The nature of this Program Specialist's work requires him to work closely with consumers and consumer organizations. The following list includes organizations that he deals with on a fairly regular basis. Their membership consists almost entirely of consumers.

Lone Star Chapter of the National Paraplegia Foundation - Ft. Worth
M.I.G.H.T. (Mobility Impaired Grappling Hurdles Together) - Austin
Coalition for Barrier Free Living - Houston
University of Texas at Arlington Handicapped Students Association - Arlington
Little People of American (Chapters in several locations)
Free Lives, Inc. - Houston
Independent Life Styles, Inc. - Houston

The Program Specialist for the Severely Disabled also works regularly with private health associations that are not specifically consumer groups but do have strong consumer participation in the local chapters. Examples of these health associations are: Epilepsy Foundation of America, United Cerebral Palsy, Muscular Dystrophy Association, Multiple Sclerosis Society, American Cancer Society and the International Association of Laryngectomees.

5. Private Organizations and Associations. The Commission authorizes certain staff members to attend association meetings for consumers, consumer interest groups, and providers of VR services and local and state chapters of National associations. These staff members become actively involved in these organizations and have an opportunity to learn of the needs and problems of these disability groups and obtain feedback from consumers of VR services.

6. Handicapped Texas Rehabilitation Commission Employees. As of January 1, 1976 there were 353 handicapped individuals employed in the Texas Rehabilitation Commission. Most all disability groups are represented in this group of handicapped employees. These employees in their daily activities assist Commission administrators to develop policy and programs for the benefit of all the disabled.

7. Review of Ineligibles. The Commission has initiated a program for reviewing Status 08 closures. This status applies to individuals who have applied for VR services in the past but were found ineligible for specific reasons. This review program requires VR Counselors to follow up on individuals of this type to see if their condition has changed to the degree that they may now be eligible for VR services.

8. Legal Service. The attorneys in the Office of the General Counsel attend symposiums and provide guidance on legal rights and concerns of the client. The Office of General Counsel monitors the administrative hearing process to ensure protection of the client's rights.

C. Specific Methods (Vendors/Providers). The following are specific methods and practices utilized by the Commission for obtaining and considering the views of vendors and providers of rehabilitation services for policy development.

1. Evaluation of Vendors' and Employers' Satisfaction. The Program Evaluation Section of the Commission regularly conducts evaluations of training vendors and employers of Commission clients. These evaluations provide data regarding the client, training, the employment, and client and employer satisfaction.

2. Rehabilitation Facilities Advisory Conferences. The Facilities Section sponsors two annual conferences for facility directors who serve as a committee of the whole in reviewing facility programs, changes or pending changes in the Standards for Rehabilitation Facilities, and makes recommendations to the Facilities Section. These recommendations are then incorporated in proposals for changes in the Standards for Rehabilitation Facilities and priorities for facility services after approval of the administration.

3. Medical Consultation Committee. The general purpose of the Committee is to bring together many of the various specialties and disciplines involved in providing medical examinations, consultations and restorative services for the disabled, in order that their broad range of knowledge may be made available and used by those responsible for administering the medical aspects of the Vocational Rehabilitation Program and the Social Security Administration Disability Insurance Program. The Committee is to advise the Commissioner concerning policies and standards for provision of quality medical care, physical restoration, fees for medical and surgical services, and rates for hospital care. The Committee is to assist in maintaining constructive relations with the medical profession and hospitals in the State and interpreting the Vocational Rehabilitation and Disability Determination Programs to the medical profession and medical or related institutions.

4. Halfway House Committee. In developing the standards for halfway houses, the Commission utilized a Halfway House Advisory Committee to assist in developing the standards and fees to be charged in such facilities. The committee was composed of owners and operators of various halfway house facilities throughout Texas.

D. Advisory Committees. In selected instances, the Commission has found it beneficial to use advisory committees in conjunction with specific projects and objectives, usually in a local or regional area. An advisory committee was utilized to assist the Commission in administering the project for vocational rehabilitation services to handicapped migrants in the Panhandle area. An advisory committee was also utilized in the El Paso area for assisting the Commission in the administration of the alcoholic rehabilitation program in El Paso. In the Fort Worth/Tarrant County area, the Tarrant County Association for Retarded Children, the Lone Star Chapter of the National Paraplegia Foundation, and the local chapter of the Epilepsy Foundation all provide active consultation and advice to the Commission's regional VR administration, most of whom are members of these and other health associations.

AVAILABILITY TO THE PUBLIC

A copy of this document is being sent to the holders of the Commission's Administrative Operating Procedure Manual and to the Regional Office of the Rehabilitation Services Administration in Dallas.

A copy is being placed in the public reference file in the Office of the General Counsel of the Central Office of the Texas Rehabilitation Commission at 7745 Chevy Chase Drive, Austin, Texas 78752.

Copies of this document are available fo the public upon request to the Commissioner of the Texas Rehabilitation Commission.

Texas Rehabilitation Commission

COMMISSIONER FOR REHABILITATION Jess M. Irwin, Jr.

December 7, 1976

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.

Mr. Lex Friedman
9667 Meadow Vale
Houston, Texas 77713

Dear Mr. Friedman:

We appreciate your accepting the invitation to become a member of the Vocational Rehabilitation Consultation Committee of the Texas Rehabilitation Commission. The Commission desires to have the advice and consultation of handicapped individuals, providers of vocational rehabilitation services, and others active in the field of rehabilitation in the development of policies and precedures for administration of the program.

The Board members of the Texas Rehabilitation Commission are meeting on December 17, 1976, beginning at 9:30 AM. We are also calling a meeting of the Vocational Rehabilitation Consultation Committee to begin at 11:00 AM on December 17 in order that you may become acquainted with the Board members and the the Board members will have an opportunity to meet each of you. Although the Vocational Rehabilitation Consultation Committee will not meet until 11:00 AM, you are welcome to sit in on the meeting of the Board which begins at 9:30 AM.

The meeting will be held in the Conference Room on the second floor in the Central Office. The office is located at 7745 Chevy Chase Drive, Austin, Texas. It is the three story building located at the corner of IH35 and Highway 183. Appropriate parking is available on the east side of the building for the mobility impaired.

If you need assistance in arranging for hotel accommodations or any other arrangements, please feel free to call Doyle Wheeler at (512) 452-8192.

You will be reimbursed for your travel and per diem, if it is necessary for you to stay overnight in Austin, and you will receive $100 as an honorarium.

This will be a short organizational and "get acquainted" meeting and we will try to adjourn about 3:00 PM. We look forward to your participation on this very important committee and hope to see you on the 17th.

Attached is a working paper prepared by Edward Austin, General Counsel, and provided to identify certain subject matter of interest to the committee and to stimulate thinking in preparation for the meeting.

Sincerely,

Jess M. Irwin, Jr.
Commissioner

Attachment

JOE A. HUBENAK
District 21
FORT BEND AND BRAZORIA
COUNTIES
P. O. BOX 688
ROSENBERG, TEXAS 77471
(713) 342-2843
P. O. Box 2910
Austin, Texas 78767
(512) 475-2573

The State of Texas
House of Representatives
Austin, Texas

COMMITTEES:

CHAIRMAN:
Agriculture and Livestock

MEMBER:
Social Services
State Commission for the Blind
Texas Department of Corrections
Texas Rehabilitation Commission
Texas Youth Council

August 19, 1976

Mr. Lex Frieden
9667 Meadowvale
Houston, Texas 77063

Dear Mr. Frieden:

May I take this opportunity to thank you for attending the hearing of the Rehabilitation Subcommittee in Houston.

It is through suggestions from people like yourself that we can better recommend new programs or changes in the present programs to the 65th Legislature.

Your interest in state and governmental affairs is truly appreciated. Please advise if I can ever be of any assistance.

Sincerely yours,

Joe A. Hubenak

JAH:dc

March 9, 1976
9667 Meadowvale
Houston, Tx 77063

Mr. Jess Irwin
Commissioner, Texas Rehabilitation Commission
Austin, Texas

Dear Mr. Irwin,

It was a pleasure to meet you on the telephone last Thursday. I was surprised that you thought I had not tried to reach you personally. I enclose a copy of my October 15, 1975 letter to you which was answered only by receipt of PFP's from Mr. Austin. In spite of numerous inquiries on my part (see attached correspondence), I have yet to receive a written report of TRC plans to systematically include consumers in agency policy planning and program development. According to the enclosed Memo from Dr. Adams and the letter from H. B. Simmons, these plans were to have been made public by December 31, 1975. Is it impertinant of me to ask why they were not?

As far as the White House Conference is concerned, I have been interested in the state conference ever since the Rehab Act Amendments were passed. In my October 28, 1975 letter to Governor Briscoe (enclosed copy), I explicitly asked to be considered as a "host". According to the attached November, 1975 reply from the Governor's office, you were to "get in touch with me". I realize now that you have tried indirectly to contact me, but I wonder if my requests to be involved in choosing the State Director have been ignored.

With regard to my roles in various consumer groups, I would like to clarify my positions. First, I am simply a member of the Board of Directors of the Houston Coalition for Barrier Free Living. As such, I do not personally have the authority to invite you to our meetings in an official capacity. You may wish to write the President of CBFL, Mr. Bob Kafka, Box 20803, Houston, Texas, 77025. Second, I am Secretary of the American Coalition of Citizens with Disabilities. In that capacity, I am committed to represent consumers on a national level. This accounts for my interest in legislation and agency affairs. Finally, as Regional Representative of the NRA Council of Consumer Members, I am obligated to speak in behalf of the consumer members of NRA.

I remain convinced that consumers have much to contribute to rehabilitation, and I am anxious to describe personally the ideas I have in mind.

Yours sincerely,

Lex Frieden

3/4/76

Jess Hurn called — said he wished I had contacted him personally. Referred to indirect contact via C. Poag. Knew of my interest in WH Conf. & Chap. 5 and TRC would staff talk out. Discussed ideas.

Orin 3/4 Lot.

- Said Chap 25 plan would soon be out. No details. Said no consumers have called him since 1969 — wonders why. Runs a tight ship. Ed Thinks good man.

2/3/76

called Austin
— said TRC thurs
day had finished
an "phantine
study of present
movement"?
— said he would
mail me copies
when approved.

1/7/76

Called Edward Austin - said he has not met Lodge, said I was Wheeler's responsibility he would notify them

called Simmons

said he would assign Mr. Jane to follow-up in Dec.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGIONAL OFFICE
1114 COMMERCE STREET
DALLAS, TEXAS 75202

November 21, 1975

OFFICE OF
THE REGIONAL DIRECTOR
Office of Human Development
Office of Rehabilitation Services

Mr. Lex Frieden, Secretary
American Coalition of Citizens
with Disabilities
9667 Meadowvale
Houston, Texas 77042

Dear Mr. Frieden:

I enjoyed talking with you when you called recently. You are correct in saying that State Vocational Rehabilitation agencies will be developing plans for consumer involvement in the near future. This is one of many new provisions in the Vocational Rehabilitation Act.

As you indicated, the guidelines for consumer involvement (Policy Development Consultation) are set forth in Chapter 25 of the R.S.A. Manual. According to the guidelines, which were issued October 15, 1975, State agencies will take steps to formulate a policy development consultation program and will have the program in operation by December 31, 1975. We do not have much information at this time as to how States are planning to implement this chapter.

We are sending a copy of your letter and the attachments to the Texas Rehabilitation Commission for their consideration. I wish we could be optimistic about R.S.A. providing "seed money" as you suggested but we are in a period of austerity so far as special grants are concerned.

Sincerely yours,

H. B. Simmons

H. B. Simmons, Director
Office of Rehabilitation Services

9667 MEADOWVALE
HOUSTON, TX 77042
October 30, 1975

MR. H. B. Simmons
Regional Director, RSA
Dallas, Texas
Dear Mr. Simmons,

It was nice to meet you on the telephone yesterday. I appreciate your apparent concern for rehabilitation service consumers. I realize that part of your skepticism towards consumer involvment is well-founded, however, I believe that consumers have a unique perspective which is frequently overlooked by rehabilitation service providers. I would enjoy talking further with you about these matters.

I am enclosing for your consideration a series of proposals which I drew up in behalf of our local organization of consumers, the Coalition for Barrier Free Living. Any suggestions you might have or recommendations you could make would be useful to us.

I suspect that you will soon be implementing the Regulations on consumer involvment set forth in Chapter 25 of the RSA Manual. I would like to know how each state in the Region is going to do this. I have a number of ideas and suggestions to offer in this regard, and I would be glad to consult with you at any time.

Sincerely yours,

Lex Frieden
Secretary, American
Coalition of Citizens
with Disabilities

Texas Rehabilitation Commission

COMMISSIONER FOR REHABILITATION Jess M. Irwin, Jr.

November 17, 1975

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.

Lex Frieden
9667 Meadowvale
Houston, TX 77042

Dear Mr. Frieden:

Mr. Irwin has asked that I reply to your letter dated October 15, 1975. Enclosed are two copies of the Texas Rehabilitation Commission Program and Financial Plan 1976.

Commission implementation of the Federal requirement to involve consumers in agency planning, evaluation, policy and program development is under study at the present time. When final implementation has been effected the Commission will be glad to make a copy of the implementation available to you.

Sincerely yours,

Edward Austin

Edward W. Austin
General Counsel

EWA/js
Enclosures (2)
cc: Jess M. Irwin, Jr.
H. B. Simmons
Max Arrell
Doyle Wheeler

October 15, 1975
9667 Meadowvale
Houston, Tx. 77042

Mr. Jess Irwin
Commissioner, Texas Rehabilitation Commission
Austin, Texas
Dear Mr. Irwin,

Please send me two copies of your 1975 Program and Financial Plan, as well as any subsequent progress reports you may have available.

With regard to recently published Regulations of Public Law 93-112, I would like to know specifically how you are involving consumers in agency planning, evaluation, policy and program development.

I believe that consumers can add a valuable perspective to the administration of your agency. In addition to what they might add, consumers would benefit from being included on advisory councils, boards, and commissions by learning how the system functions and by being a part of the system which serves them.

If I can assist you in any way, please call on me. I am most anxious to see handicapped individuals involved in the decisions which directly affect their lives.

Sincerely yours,

Lex Frieden
Secretary, American
Coalition of Citizens
with Disabilities, Inc.

Southwest Regional
Representative, National
Rehabilitation Association
Council of Consumers

telephone: (713) 781-8949

Graduate student, University of Houston

TEXAS INSTITUTE FOR
REHABILITATION AND RESEARCH
The Texas Medical Center
1333 Moursund Avenue
HOUSTON, TEXAS 77025

Lex

December 17, 1975

Mr. Jess Irwin, Commissioner
Texas Rehabilitation Commission
7745 Chevy Chase Drive
Austin, Texas 78752

Dear Mr. Irwin:

Pursuant to our recent TRC/TIRR meeting, I am asking Mr. Lex Frieden or Mr. Donald Rossi, representatives of the Coalition for Barrier Free Living, to contact you and arrange for you to meet with this Houston-based consumer group in the future. If the Institute can facilitate your meeting with the CBFL in any way, please let us know.

The best to you and yours during this holiday season.

Sincerely yours,

Charles R. Poor

CRP/rs

cc: Don Rossi/Lex Frieden

TEXAS INSTITUTE FOR REHABILITATION AND RESEARCH
IN THE
TEXAS MEDICAL CENTER
1333 MOURSUND AVENUE
HOUSTON, TEXAS 77025

P. O. BOX 20095

TELEPHONE
797-1440

10 December 1975

Minutes: TRC Meeting - 20 November 1975

Topic: TRC Areas of Need

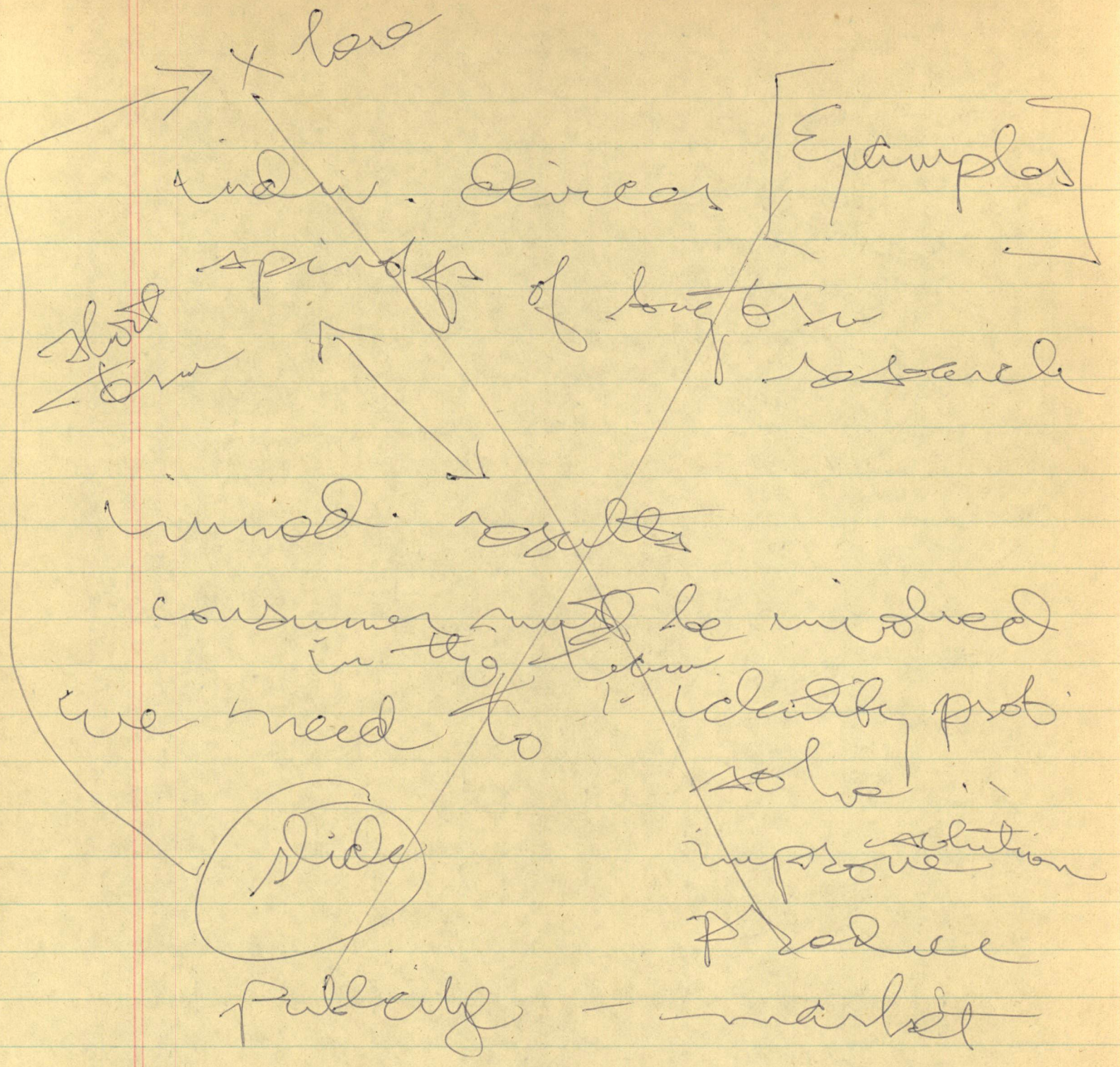
Eleven areas of need were presented for consideration by TIRR. All were agreed to in principle, and study groups were designated to pursue the topics further and to recommend specific implementation actions. The groups will consist of representatives from TIRR and TRC, as designated below:

TOPIC	Study Group	
	TIRR	TRC
1. Short term in-patient medical evaluation	R. Carter R. Baker	M. Schlecte D. Wheeler
2. Procurement of authorized supplies and equipment	D. Stock A. Cassidy	J. Robinson T. Thayer
3. Acquaintance of TRC staff with TIRR research	C. Poor M. Fuhrer	R. Scott T. Thayer
4. Training for TRC counselors re TIRR activities	C. Poor	T. Thayer
5. Transitional Living Program modifications	D. Stock	T. Thayer
6. TRC Counselor participation in staffings	DONE	
7. Referral to TRC of clients with vocational potential	DONE	
8. "Non-work sample" vocational evaluation program	C. Poor	T. Thayer
9. Housing of TRC staff in contiguous space	C. Poor	M. Kenter
10. Coordination in terms of neutral process	DONE	
11. Sharing information on funding sources for client with TRC counselors	DONE	
12. TRC and Houston based consumer groups.	C. Poor D. Rossi L. Frieden	J. Irwin

TRC

25

No consumer input. dep
No consumer advocacy.
Applied Services - REL Barrier free, transp.
Unpublicized grants - UR
3rd party
High priced supplies, TBR
Denied Ast urgent services.
Poor forms, Bad Dist
incompetence → dishonesty
Right to sit files, attn
Minimum hours required
Arbitrary - unequitable
Inequities. Variable.
Inconsistent
according to need, very evasive
Soc. Soc.
Poor quality purchases,
bad contacts, wholesalers


Examples
spinoff of
research
mixed results
consumer must be involved
in the
we need to
identify prob
solve
improve
Produce
policy
market

9667 Meadowvale
Houston, Texas 77063

August 4, 1976

Congressman Joe A. Hubenak
State Representative
P. O. Box 688
Rosenberg, Texas 77471

Dear Congressman Hubenak:

Thank you for providing me and other Houston consumers of rehabilitation services the opportunity to express our opinions and suggestions about rehabilitation in general and Texas Rehabilitation Commission in particular. I hope you view our testimony as constructive and I hope you will call upon us more often in the future.

It is my personal opinion that the Legislature should appoint a Citizens Advisory Board to be made up of consumers of rehabilitation services. This group would report directly to the Legislature. It would be responsible for reviewing the activities of TRC and related agencies. This appears to me to be the only way to insure consumer input and agency accountability.

I am enclosing a copy of key points of my testimony before your committee which I hope you will share with the other members. I am also enclosing a copy of my resume for your reference.

I appreciate your efforts in behalf of rehabilitation and I would be pleased to assist you in any way I can.

Sincerely,

Lex Frieden
New Options Research Director

LF/asm

March 9, 1976
9667 Meadowvale
Houston, Tx 77063

Mr. Jess Irwin
Commissioner, Texas Rehabilitation Commission
Austin, Texas

Dear Mr. Irwin,

It was a pleasure to meet you on the telephone last Thursday. I was surprised that you thought I had not tried to reach you personally. I enclose a copy of my October 15, 1975 letter to you which was answered only by receipt of PFP's from Mr. Austin. In spite of numerous inquiries on my part (see attached correspondence), I have yet to receive a written report of TRC plans to systematically include consumers in agency policy planning and program development. According to the enclosed Memo from Dr. Adams and the letter from H. B. Simmons, these plans were to have been made public by December 31, 1975. Is it impertinant of me to ask why they were not?

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With regard to my roles in various consumer groups, I would like to clarify my positions. First, I am simply a member of the Board of Directors of the Houston Coalition for Barrier Free Living. As such, I do not personally have the authority to invite you to our meetings in an official capacity. You may wish to write the President of CBFL, Mr. Bob Kafka, Box 20803, Houston, Texas, 77025. Second, I am Secretary of the American Coalition of Citizens with Disabilities. In that capacity, I am committed to represent consumers on a national level. This accounts for my interest in legislation and agency affairs. Finally, as Regional Representative of the NRA Council of Consumer Members, I am obligated to speak in behalf of the consumer members of NRA.

I remain convinced that consumers have much to contribute to rehabilitation, and I am anxious to describe personally the ideas I have in mind.

Yours sincerely,

Lex Frieden

3/4/76

Jess Irwin called
— said he wished I
had contacted him
personally. Referred
to indirect contact
via C. Poos. Knew of
my interest in
WH Conf. & Chap. 5
Said IRC would
staff this conf.
Discussed ideas . . .

Orin 3A Cont.

— said Chap 25 plan would soon be out. No details. Said no consumers had called him since 1969 — wonders why. Runs a tight ship. Ed Thanks good man.

2/3/76

called Austin
— said TRC this
day had finished
an "exhaustive
study of present
movement"
— said he would
mail us copies
when approved.

cc: TRC - Austin (2)
RSR - Dallas - Simmons
RSR - Wash - Adams
Wash D.C. Marty L. (ask W.A.S.)

1/7/76

Called Edward Austin
said TRC has not
met. Rogers, said
I was Wheeler's
responsibility he
would notify them

called Simmons
- Said he would
assign Mr. Jones to
follow-up in Dept.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGIONAL OFFICE
1114 COMMERCE STREET
DALLAS, TEXAS 75202

November 21, 1975

OFFICE OF
THE REGIONAL DIRECTOR
Office of Human Development
Office of Rehabilitation Services

Mr. Lex Frieden, Secretary
American Coalition of Citizens
with Disabilities
9667 Meadowvale
Houston, Texas 77042

Dear Mr. Frieden:

I enjoyed talking with you when you called recently. You are correct in saying that State Vocational Rehabilitation agencies will be developing plans for consumer involvement in the near future. This is one of many new provisions in the Vocational Rehabilitation Act.

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Sincerely yours,

H. B. Simmons

H. B. Simmons, Director
Office of Rehabilitation Services

9667 MEADOWVALE
HOUSTON, TX 77042
October 30, 1975

MR. H. B. Simmons
Regional Director, RSA
Dallas, Texas
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Sincerely yours,

Lex Frieden
Secretary, American
Coalition of Citizens
with Disabilities

Texas Rehabilitation Commission

COMMISSIONER FOR REHABILITATION Jess M. Irwin, Jr.

November 17, 1975

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.

Lex Frieden
9667 Meadowvale
Houston, TX 77042

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Sincerely yours,

Edward Austin

Edward W. Austin
General Counsel

EWA/js
Enclosures (2)
cc: Jess M. Irwin, Jr.
H. B. Simmons
Max Arrell
Doyle Wheeler

October 15, 1975
9667 Meadowvale
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Mr. Jess Irwin
Commissioner, Texas Rehabilitation Commission
Austin, Texas
Dear Mr. Irwin,

Please send me two copies of your 1975 Program and Financial Plan, as well as any subsequent progress reports you may have available.

With regard to recently published Regulations of Public Law 93-112, I would like to know specifically how you are involving consumers in agency planning, evaluation, policy and program development.

I believe that consumers can add a valuable perspective to the administration of your agency. In addition to what they might add, consumers would benefit from being included on advisory councils, boards, and commissions by learning how the system functions and by being a part of the system which serves them.

If I can assist you in any way, please call on me. I am most anxious to see handicapped individuals involved in the decisions which directly affect their lives.

Sincerely yours,

Lex Frieden
Secretary, American
Coalition of Citizens
with Disabilities, Inc.

Southwest Regional
Representative, National
Rehabilitation Association
Council of Consumers

telephone: (713) 781-8949

Graduate student, University of Houston

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF HUMAN DEVELOPMENT
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, D.C. 20201

PROGRAM REGULATION GUIDE
RSA-PRG-76-7
October 15, 1975

TO : STATE REHABILITATION AGENCIES (GENERAL)
STATE REHABILITATION AGENCIES (BLIND)

SUBJECT : Rehabilitation Services Manual Transmittal Number 22, dated September, 1975, on Policy Development Consultation.

PURPOSE : This memorandum transmits a new chapter to the Rehabilitation Services Manual - Chapter 25 - Policy Development Consultation, replacing old Chapter 5, Section 4, Advisory Councils and Committees.

CONTENT : The Rehabilitation Act requires that State agencies, develop a formal program for receiving and considering the views of recipients of vocational rehabilitation services, providers of such services and others active in the field of vocational rehabilitation in establishing and carrying out program policies. Section 9.2 of the State Plans provides assurance of compliance with this requirement of the Act. Accordingly, it is expected that with the issuance of the attached guidelines each State agency will immediately take steps to formulate in writing its policy development consultation program and will have that program in full operation no later than December 31, 1975.

State agencies may wish to exchange policy development consultation programs and experiences among each other within their Regions. Our Regional staff stands ready to assist State agencies in the development of their plans for the implementation of this new provision of the Rehabilitation Act.

EFFECTIVE DATE: Upon Issuance

INQUIRIES TO : Director, Office of Rehabilitation Services
Regional Offices

Andrew J. Adams

Commissioner of Rehabilitation Services

Key Points of testimony spoken by Lex Frieden before the Texas House Committee on Rehabilitation.

July 30 , 1976

I. Regarding recently passed legislation:

S.B. 27 re. special parking privilege requires the user to find specially marked parking spaces without providing for the creation of such spaces.

S.C.R. 40 authorizes a special study of services to the blind. Other disability groups have been discriminantly excluded.

S.B. 111 requiring accessability should be amended to include all buildings used by the public regardless of ownership.

Article X, Section 23 of the revised state constitution should be presented as an amendment to the present constitution.

Article 4419 E of Vernons Civil Statutes needs enforcement mechanisms and "teeth".

Article 505, Subdivision 2d of the Election Code provides absentee ballots for permanently disabled persons, but it does not mandate physical access to voting places.

II. Relating to consumer advocacy:

Federal Rules and Regulations, Section 1361.9 Policy Development Consultation requires TRC to establish and maintain methods to obtain and consider consumer views on policy development and implementation.

Section 525.06 of Rehabilitation Services Manual MT#22 goes on to state that "anything less than substantive participation (by consumers) will be viewed as a sham."

TRC published its Procedures for including consumer representation in policy development on March 15, 1976, 75 days after the December 31, 1975 deadline. The objectives stated in this document are beyond reproach. However, the Methods are very superficial.

For example:

A#1, page 3 - The open door frequently fails to respond to direct personal correspondence.

A#2 The TRA is primarily a professional organization with few, if any, consumer members.

A#3 Proposed rules are not circulated outside the agency for comment.

A#4 The State Plan is generally not available for review by consumers.

A#5 Appeals are discouraged and do not provide an outlet for positive criticism.

A#6 Client evaluations are directed toward vendor services and not agency policies.

B#1&2 Research results are not circulated to consumers or representative groups.

B#6 Employees, be they handicapped or not, cannot objectively represent the viewpoint of consumers.

B#8 The Agency General Counsel cannot fairly or ethically represent the plaintiff against that agency.

VOCATIONAL REHABILITATION CONSULTATION COMMITTEE MEETING

Conference Room - 2nd Floor
7745 Chevy Chase Drive
Austin, Texas 78752

December 17,1976

Welcome- *Jess M. Irwin, Jr.*
Commissioner

Overview of Objectives- *Edward W. Austin*
General Counsel

Committee Responsibilities - *Jess M. Irwin, Jr.*
Commissioner

General Discussion- *Jess M. Irwin, Jr.*
Commissioner

Vernon M. Arrell
Deputy Commissioner

Doyle Wheeler
Deputy Commissioner

W. K. Harvey, Jr.
Deputy Commissioner

SAMPLE of LETTER SENT TO THE COMMITTEE

Texas Rehabilitation Commission

COMMISSIONER FOR REHABILITATION Jess M. Irwin, Jr.

December 7, 1976

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.
J. E. Miller, M.D.

Mr. Sam Millsap
1222 N. Main, Suite 711
San Antonio, Texas 78212

Dear Mr. Millsap:

We appreciate your accepting the invitation to become a member of the Vocational Rehabilitation Consultation Committee of the Texas Rehabilitation Commission. The Commission desires to have the advice and consultation of handicapped individuals, providers of vocational rehabilitation services, and others active in the field of rehabilitation in the development of policies and precedures for administration of the program.

The Board members of the Texas Rehabilitation Commission are meeting on December 17, 1976, beginning at 9:30 AM. We are also calling a meeting of the Vocational Rehabilitation Consultation Committee to begin at 11:00 AM on December 17 in order that you may become acquainted with the Board members and the the Board members will have an opportunity to meet each of you. Although the Vocational Rehabilitation Consultation Committee will not meet until 11:00 AM, you are welcome to sit in on the meeting of the Board which begins at 9:30 AM.

The meeting will be held in the Conference Room on the second floor in the Central Office. The office is located at 7745 Chevy Chase Drive, Austin, Texas. It is the three story building located at the corner of IH35 and Highway 183. Appropriate parking is available on the east side of the building for the mobility impaired.

If you need assistance in arranging for hotel accommodations or any other arrangements, please feel free to call Doyle Wheeler at (512) 452-8192.

You will be reimbursed for your travel and per diem, if it is necessary for you to stay overnight in Austin, and you will receive $100 as an honorarium.

This will be a short organizational and "get acquainted" meeting and we will try to adjourn about 3:00 PM. We look forward to your participation on this very important committee and hope to see you on the 17th.

Attached is a working paper prepared by Edward Austin, General Counsel, and provided to identify certain subject matter of interest to the committee and to stimulate thinking in preparation for the meeting.

Sincerely,

Jess M. Irwin, Jr.
Commissioner

Attachment

WORKING PAPER
ON REHABILITATION CONSULTATION COMMITTEE
OF THE TEXAS REHABILITATION COMMISSION
Prepared by Edward W. Austin, General Counsel

COMMISSION LETTER 76-

November 1, 1976

Office of the Commissioner

SUBJECT: REHABILITATION CONSULTATION COMMITTEE OF THE TEXAS REHABILITATION COMMISSION

PURPOSES

In the development of policies and procedures for administration of the vocational rehabilitation program the Texas Rehabilitation Commission desires to have the views of individuals who are:

1. Recipients of vocational rehabilitation services, or as appropriate, their parents, guardians, or other representatives;

2. Providers of vocational rehabilitation services; and

3. Others active in the field of vocational rehabilitation.

The purposes of this Commission Letter are (a) to establish a Rehabilitation Consultation Committee comprised of the above named representation and (b) to set forth the policies and procedures governing the Committee's activities.

OBJECTIVES

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

It is felt that the following advantages can result 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 vocational rehabilitation program are functioning and how they might be improved;

3. Establishment of better working relationships between the agency and clients, providers and other individuals, and organizations active in rehabilitation in the State;

4. Better information sharing and clearer understanding of the State agency's mission, goals, and objectives;

5. Increased and more effective advocacy for the State agency'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.

FUNCTIONS OF THE REHABILITATION CONSULTATION COMMITTEE

It is anticipated the Committee will provide advice in the following areas of program development and administration:

1. Program evaluations to identify strengths in services that would 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 vocational rehabilitation services.

2. Program planning and program development--the planning of future programs and the expansion of current programs to close 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 State Legislature, both in their preparation and follow through in hearings before the State legislative committees.

4. Assessment of the physical accessibility to the handicapped 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 being conducted by the Commission or its district and local offices, i.e., data gathering, client sampling, and follow-up.

6. The interpretation of 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 in achieving greater understanding of client problems and attitudes, providers' problems and in maintaining better working relationships with organizations representing clients, providers and other people engaged in vocational rehabilitation.

8. Assistance to the Commission in whatever role it may have in State and local activities leading up to the White House Conference on Handicapped Individuals, and assistance to the Commission in the implementation of recommendations, having State relevance, resulting from such activities and conferences.

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 the handicapped, particularly the severely disabled 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 the 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 vocational rehabilitation, and to help assess research proposals in terms of their applicability to the needs and priorities of a particular group of handicapped people or to handicapped people in general.

MEMBERS

1. Each member of the Committee shall be a person selected because of his 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 the disabled person.

2. The membership will consist of clients, providers of services, and others interested in vocational rehabilitation whose vision and interest will enable them to make a significant contribution to the administration of the vocational rehabilitation program.

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.

4. The number of members will be no less than twelve (12) and no more than twenty (20), excluding ex officio members.

5. The term of membership shall be for three (3) years beginning with the effective date of appointment. However, when the initial appointments are made, one-third of the members will be appointed for three (3) years, one-third for two (2) years and one-third for one (1) year. The effective date of the initial appointment is November 1, 1976, with tenure ending on the appropriate 31st of October, according to the length of appointment.

6. 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 that term.

7. 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.

8. The Commissioner and Deputy Commissioners to the Texas Rehabilitation Commission are ex officio members of the Committee. Ex officio members are exempt from tenure and will not have a vote.

9. The members of the Committee may be paid a consultation fee plus travel expenses for each meeting attended. Travel expense paid will not exceed those allowances which prevail for employees of the Commission.

OFFICERS

1. The Committee will have the following officers - Chairman and Vice-Chairman appointed by the Commissioner will serve for the length of their appointment time or three (3) years, whichever occurs first. If either officer is reappointed he would be eligible to serve another term of office but not exceed two consecutive terms. The Vice-Chairman serves as Chairman when the Chairman is absent. Should vacancies occur, the Commissioner will fill such vacancies.

2. Mr. W. K. Harvey, Jr., shall serve as Secretary to the Committee and be responsible for planning meetings, preparing and distributing agenda, maintaining records, reporting to the various Committee members concerning items of interest to those members and maintaining liaison between the Commissioner, the Committee, and various interested divisions of the Commission.

MEETINGS

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.

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

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 at the meeting at which a quorum is present shall be the act of the Committee.

COMMITTEE

1. When special problems arise in a special area in the administration of the vocational rehabilitation program, the Commissioner may

appoint ad hoc subcommittees to advise concerning these problems. The Chairman of such an ad hoc committee will be a member of the Rehabilitation Consultation Committee who is knowledgeable in the specific problem area. Individual members may be appointed from outside the Rehabilitation Consultation Committee in order to bring as much specialized knowledge and ability as possible to bear on the specialty this involves.

VR CONSULTATION COMMITTEE LIST

Mr. Sam Millsap
1222 N. Main, Suite 711
San Antonio, Texas 78212

Mrs. Barbara Trusler
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Abilene, Texas

Mr. Gene Karaffa
President, Texas Association
for Retarded Citizens
3021 North 43rd
Waco, Texas 76710

Mrs. Shirley Camfield
President, Texas Association
for Mental Health
2475 Ridgmar Plaza
Ft. Worth, Texas 76116

Mr. Joe Villarreal
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Mr. Wyatt Hall
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