



Kentucky Employment First Council
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Andy Beshear
Governor

Jamie Link
Secretary, Education and Labor Cabinet

Employment First Council Executive Committee Minutes

March 21, 2024
3:00pm – 4:00pm (EST)
Zoom
Meeting ID: 897 5416 6949

Members Present

Merry Reid Sheffer, Amanda Owen, Jeff White, Katie Wolf Whaley, and Diana Merzweiler

Members Absent

Jessica Beaven, Frank Huffman and Morgan Turner

Staff Present

Kentucky Office of Vocational Rehabilitation (KYOVR) Administrator, Nanci Howard and Administrative Specialist, Pepper Caudill

Staff Absent

N/A

Guest(s) Present

N/A

Welcome, Introductions and Agenda Review

Chair, Katie Wolf Whaley welcomed everyone to the meeting and began by briefly explaining the agenda before turning the meeting over to Administrator, Nanci Howard for an update of Project NEON.

Project NEON Update

Administrator, Nanci Howard provided a brief update of Project NEON. She explained that Kentucky was awarded 300 hours in which ten hours will be used for committee support through Subject Matter Experts. She also explained that the awarded hours would specifically focus on customized employment, provider capacity, rate restructuring and things of that nature.

Provider Capacity Report

Chair, Jeff White stated that he is recruiting additional support members to the committee. The committee is working to develop a Capacity of Kentucky Supported Employment Services Map (waiver providers) which will help to visually capture where there are sufficient services, marginal services, or critical need of services. There was discussion amongst the group regarding the Map, the data used to create it and how it could be useful to providers. Additional statistical data was screen shared with the group and explained regarding the incentivization of potential income available to providers. It was discussed that the data shared with the group is in alignment with Goal 2 of the Strategic Plan. There were no action items needing to be brought to the Council for a vote at the next quarterly meeting in April.

Public Policy Report

Chair, Diana Merzweiler stated that the committee is working to review state policies and make recommendations to better align them with federal guidance. The committee will be moving forward on an action item at the next quarterly meeting in April. The action item consists of a recommendation of committee contributed, tailored language intended to better align the State's definition of Competitive Integrated Employment with the Federal definition.

Advocacy and Education Report

Chair, Amanda Owen stated that the committee is working to finalize development a power point presentation and email templates to target specific audiences regarding available resources to be shared. There was discussion of the committee working with other committee's members to solicit additional resources, to aid in the development of the resources list that this committee is working on. There was discussion that this could be accomplished by asking council members to drop resource links, that are missing from the Employment First website page, into the meeting chat at the next quarterly meeting in April. There were no action items needing to be brought to the Council for a vote at the next quarterly meeting in April.

Employer Education and Engagement Report

Chair, Merry Reid Sheffer stated that the committee has partnered with RETAIN Kentucky and is scheduled to launch their first webinar on April 23rd, 2024, from 12:00 – 12:45pm EST. She explained the webinar would cover navigating employer responsibilities under ADA Title One and would be presented by Barry Whaley and Pam Williamson. Merry shared the registration link in the chat and asked that members feel free to share it with their respective affiliates. Merry explained that she was scheduled to meet with Dina Wilson-Kimbler the following day to begin planning the next webinar. There were no action items needing to be brought to the Council for a vote at the next quarterly meeting in April.

Transition Report

Chair, Jessica Beaven and Co-Chair, Frank Huffman were not in attendance of the meeting however Administrative Specialist, Pepper Caudill shared in the chat, an email received from Jessica Beaven which read; "We will meet next week to discuss the best way to market awareness for transition opportunities. Booking speakers from KCTCS, businesses, etc. to share success stories of transitional services. Jess ". There were no action items needing to be brought to the Council for a vote at the next quarterly meeting in April.

Additional Discussion

There was discussion regarding the requirement of the Education & Labor Cabinet to review and approve all documents approved by the Council, prior to being disseminated. The meeting was informally ended.

Future Areas of Focus

Administrator, Nanci Howard provided a brief update of Project NEON. She explained that Kentucky was awarded 300 hours in which ten hours will be used for committee support through Subject Matter Experts. She also explained that the awarded hours would specifically focus on customized employment, provider capacity, rate restructuring and things of that nature.

Action Items

Chair, Diana Merzweiler stated that the committee is working to review state policies and make recommendations to better align them with federal guidance. The committee will be moving forward on an action item at the next quarterly meeting in April. The action item consists of a recommendation of committee contributed, tailored language intended to better align the State's definition of Competitive Integrated Employment with the Federal definition.

Upcoming Meeting Dates

Executive Committee Date

Thursday, June 20th, 2024 – 3:00pm – 4:00pm (EST)

Quarterly Council Meeting Date

Friday, April 12, 2025 – 1:00pm – 3:00pm (EST)



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Employment First Council Executive Committee Minutes

September 13, 2024
3:00pm – 4:00pm (EST)
Zoom
Meeting ID: 860 9565 2365

Members Present

Merry Reid Sheffer, Amanda Owen, Jeff White, Katie Wolf Whaley, Frank Huffman, Morgan Turner, and Diana Merzweiler

Members Absent

Jessica Beaven and Amanda Owen

Staff Present

Kentucky Office of Vocational Rehabilitation (KYOVR) Administrator, Nanci Howard and Administrative Specialist Senior, Anu Kumari

Staff Absent

N/A

Guest(s) Present

N/A

Welcome, Introductions and Agenda Review

Council Chair, Katie Wolf Whaley, welcomed everyone to the meeting. Katie officially called the meeting to order, confirming that they had a quorum for the Executive Committee. She outlined the agenda, which included discussing the upcoming Annual Report and content from each committee.

1915 (c) Waiver Public Comments

Council Chair, Katie Wolf Whaley shared a letter that was drafted regarding the amendments to the 1915(c) waivers. She reminded committee members that the Public Policy Committee had discussed submitting comments on behalf of the council. She began reading the letter emphasizing the importance of supported employment services to help participants gain employment in their local communities. They also highlighted the importance of individualized services to prevent job loss and alleviate the strain on service providers. Katie concluded the reading of the letter and invited thoughts, questions, or comments from the committee members.

Committee Chair, Jeff White highlighted that the content aligns with previous discussions in the Public Policy Committee and other committees. Mr. White commented on the eloquence of the letter and mentioned additional recommendations made by their department regarding the definition of competitive integrated employment and the need to consolidate regulatory requirements across waivers.

Council Chair, Katie Wolf Whaley agreed on the importance of including the definition of competitive integrated employment in the comments.

Regulatory Requirements and Rate Structures

Discussion continued regarding the regulatory requirements and rate structures for waivers, including the differences in rates across waivers. Committee Co-Chair, Frank, raised a question about the status of comments on the new service fee memorandum and expressed concern about the impact on Employment First. Katie clarified that the comments pertain to all waivers, including supports for community living, and discussed the differences in rates across waivers. She provided specific figures for supported employment rates and highlighted the differences between the different waivers. She noted that the ABI waiver rates are significantly lower than those of the SCL waiver, prompting the request for rate increases to ensure consistency. Frank expressed appreciation for the information shared. Committee members discussed the potential for comparing rates with the Office of Vocational Rehabilitation (OVR) and the

implications of the changes on providers. They emphasized the need for increased financial investment in supported employment services. Committee member, Jeff White, mentioned the expected increase in the OVR supported employment rate and the need for Medicaid to increase its funding for supported employment services. He then discussed the need for the letter to reflect the definition of competitive integrated employment as outlined in Kentucky statute. Council chair, Katie Wolf Whaley encouraged further discussion on the topic and noted that the council bylaws allow the committee to approve comments without full council approval, emphasizing that the topics discussed have been previously addressed in committee meetings.

Katie called for a vote on the approval of the letter as read and revised. Merry Reid Sheffer made the motion. Morgan Turner, second. Those in favor were:

- ✓ Morgan Turner
- ✓ Diana Merzweiler
- ✓ Merry Reid Sheffer
- ✓ Jeff White
- ✓ Frank Huffman

No further discussion or opposition. The vote passed.

The letter will be submitted to Medicaid before the deadline of Friday, September 13, 2024, by midnight. Katie confirmed the approval and discussed the logistics of sending the letter for the comments. She expressed gratitude for the collaboration in drafting the comments and acknowledged the contributions of all involved.

Agenda for next Quarterly Council meeting/Provider Capacity

Council Chair, Katie Wolf Whaley shifted her focus to the agenda for the upcoming full council meeting on October 11th. She announced the meeting will be offered in a hybrid format with a Zoom option with an in-person option held at the Kentucky Transportation Cabinet, 200 Mero Street, Frankfort, KY from 1:00pm to 3:00pm (EST).

Council Chair, Katie Wolf Whaley said that during the October 11th meeting, she would provide the Chair report and then have the Council approve the July 12th meeting minutes. She stated there will be two council members to present at the October 11th full council meeting. Jason Wheatley, from the Kentucky Department of Education and Lori Norton of the IPS program will provide presentations on how their respective agencies are incorporating Employment First. She then said the council will focus on committee reports and the annual report. The annual report deadline has a deadline of December 1st and mentioned that a draft report would be sent to the Kentucky Education and Labor Cabinet prior to the date of November 1st, for their approval and

review to meet the deadline of December 1st. She invited thoughts, questions, or comments from the committee members.

Jeff White addressed the potential for a discussion on provider capacity and the impact of changes in the fee structure. He suggested inviting OVR staff to provide an overview of the changes in the fee structure and their implications for provider capacity. Katie acknowledged the importance of keeping council members informed about these changes. Mr. White highlighted the importance of effectively communicating these changes to the council and ensuring members understand the implications for provider capacity. Katie expressed a preference for a concise overview rather than extensive details. It was acknowledged that many provider requests had already been addressed, and it is crucial to communicate this clearly at the upcoming meeting. The implications of these changes on provider capacity were seen as significant, potentially serving as a game changer in the field.

Annual Report Preparation

OVR Administrator, Nanci Howard, presented a draft Annual Report to the committee. She shared a sample and stated it was categorized by the four charges of the Council. She encouraged committee members to submit their committee recommendations and action items to herself on October 1st. The importance of gathering feedback and data from various initiatives, such as the employer seminar series, was emphasized to enhance the report's impact. The timeline for finalizing the report was outlined, with a goal to submit a draft to the Education and Labor Cabinet by November 1st, 2024. The report will then be sent to the Secretary of the Education and Labor Cabinet, the Legislative Research Commission, and the Governor, on December 1, as per KRS 151B.211-214.

Nanci highlighted that the Annual Report would include an introductory memorandum summarizing the council's activities and accomplishments, along with a letter from the Chair, which was absent in the previous year's report. The structure of the report was discussed, with emphasis on the need for concise narratives for each charge, focusing on shorter sections compared to last year's lengthy report. The report will address the council's charges, with specific attention to training and resources developed, such as the Employer Seminar Series. Future steps for each charge will also be included, prompting committee members to think about their goals moving forward.

Outreach Materials for Employment First Council

Administrator, Nanci Howard announced the availability of outreach materials for Employment First, including a floor banner, tabletop banner, and tablecloth and checkout system for these materials is being developed to facilitate their use by council members for promoting Employment First initiatives.

Training of New Direct Service Providers (DSPs)

Transition Committee Co- Chair, Frank Huffman, suggested adding a point about the training requirements for DSPs regarding supported employment, highlighting the lack of understanding among some staff about the service. Katie acknowledged the importance of training requirements for DSPs regarding supported employment and this is something the council will investigate in 2025. Jeff White took initiative during the committee meeting to contact the College of Direct Supports to help answer Frank's question. Jeff said they are unsure but referred him to someone else for assistance. He said he would follow up with the suggested contact person. Katie also suggested following up on the training topic in future meetings.

A motion was made by Jeff White to adjourn the meeting. Morgan Turner, second. Motion carried.

Next Steps

Council Chair, Katie Wolf Whaley confirmed the date for the next Full Council meeting as October 11th, 2024, from 1:00 PM to 3:00 PM Eastern Time.

Council Chair, Katie Wolf Whaley encouraged committee members to review the draft Annual Report and provide feedback before the October 1st, 2024, deadline.

Upcoming Meeting Dates

Executive Committee Meeting Date

December 19, 2024 – 3:00pm – 4:00pm (EST)



Kentucky Employment First Council
500 Mero Street, 4th Floor NE
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Andy Beshear
Governor

Jamie Link
Secretary, Education and Labor Cabinet

Employment First Council Executive Committee Minutes

December 19, 2024
3:00pm – 4:00pm (EST)
Zoom
Meeting ID: 897 5416 6949

Members Present

Merry Reid Sheffer, Amanda Owen, Jeff White, Katie Wolf Whaley, Morgan Turner, and Diana Merzweiler

Members Absent

Jessica Beaven and Frank Huffman

Staff Present

Kentucky Office of Vocational Rehabilitation (KYOVR) Administrator, Nanci Howard and KYOVR Staff Assistant, Betty Whitaker

Staff Absent

Anu Kumari, KYOVR Administrative Specialist Senior

Guest(s) Present

N/A

Welcome, Introductions and Agenda Review

Council Chair, Katie Wolf Whaley, welcomed everyone to the meeting. Katie officially called the meeting to order, confirming that they had a quorum for the Executive Committee. She outlined the agenda, which included discussing the upcoming Annual Report and content from each committee.

Project NEON

Nanci Howard, OVR Administrator, announced that she received notification from Jeffrey Carpenter with EconSys on the awarded hours for Project Neon. The Council originally asked for 300 hours; however, the Council was designated 200 hours. The next steps will be to decide on the Subject Matter Experts (SME) that the Council will want to work with going forward on this Project and to set up teams by February 1, 2025. The announcement about the awarded hours didn't occur until yesterday afternoon so Nanci will move forward with recommendations from the Public Policy Committee and the Council. One SME that has been recommended is Michael Dalto, who has been working with the Public Policy recommendations. Jeff White stated that Michael Dalto has also been involved in the new Tennessee Medicaid Buy-In. Nanci will be working with Jeffrey Carpenter for a letter of commitment and Jeff White moving forward with recommendations from the Public Policy Committee. Katie questioned whether the three areas of support for this year's Project Neon would change moving forward with the new designation of less hours. Nanci will meet with Cora McNabb, Executive Director, for clarification and will update the Council. Merry Reid Sheffer questioned whether more than one SME can be used. Nanci clarified that the Council has worked with several SMEs in the past, including Steve Blanks, Karen Lee, and Trisha Jones Parkins. The Committee members agreed that working with the same SME's may be beneficial since work and recommendations have been made by these SME's.

Annual Report

Nanci reported that the Employment First Council's Annual Report was sent to the Council on December 16, 2024, and has been submitted and received by the Governor's Office. Nanci thanked everyone for their contributions and assistance with the Annual Report.

Committee Reports

Jeff White, Chair, Provider Capacity Committee, stated that there are no action items from the Committee for the Executive Committee. However, Jeff stated there are many things going on with the Committee such as increasing the number of OVR providers and waiver providers for supported employment. Jeff stated there has been some regulatory recommendations made that may go forward that would change some of the requirements for waiver providers that would require that waiver providers be approved as OVR providers. Another effort is a refinement of coordination of services processes. Jeff reported the Committee is also paying more attention to the quality of services and wrap-around services. The Committee is looking at employment in a more holistic fashion. The Capacity Map has been revised and there will be changes to the map as additional providers are added. Amanda Owens asked what metrics were used to create the capacity map and determine how the categories of services were determined and rated. Jeff White stated that it was determined by the Vocational Rehabilitation counselors who work directly with the providers on an on-going basis and factored in the waiver provider usage. The map does not include IPS.

Merry Reid Sheffer, Chair, Employer, Education and Engagement Committee, stated that the last meeting had to be cancelled and she was unable to attend the previous meeting. Merry stated the Coalition for Workforce Diversity presented at the last meeting to share some of their expansion plans into different regions in Kentucky and how they are strengthening efforts and partnerships with RETAIN Kentucky with the employer seminar series lunch and learn seminars which are going strong. Merry stated she is working on what the Committee has the capacity to give that would be helpful for employers and asked for any suggestions and recommendation this Committee may have. There are no action items for the full Council.

Diana Merzweiler, Chair, Public Policy Committee, stated that one item that may be presented to the full Council could be a draft document that would address the Medicaid buy-in situation. Two issues were explained; an eligibility issue and an interpretation issue between waiver documents and regular Medicaid documents. Jeff White stated the buy-in is an opportunity for consumers with higher incomes to be able to pay a premium to retain Medicaid services after they reach a certain income level. This is intended to be a work incentive in Kentucky.

Diana stated fellow council member, Amy Luttrell, of Goodwill Industries, is compiling research. The Committee's goal is to get the issue of consumers losing their waivers in front of the Legislators in the upcoming session and include personal stories of consumers that have been affected. Diana stated that the Committee may have a draft document to provide to the full Council if time permits. Diana stated that future items are with KDE. More information is needed to move forward with this Transition 360 training module. The second item is to provide policy language for the IEP guidance document. The Committee is gathering information to draft some language and may need an Ad Hoc Committee with people who have deep education experience in the IEP process to assist with this draft.

Katie stated that Amy Luttrell has been very involved in other types of benefit cliff issues and how these issues keep people out of the workforce. Katie stated there may be a document provided to full Council but otherwise, the Executive Committee may need to approve a document to be shared with the Council submitted by the Public Policy Committee.

Jeff stated he received the advisory report from the benefits cliff group that he will share with Katie and Nanci. Jeff stated it can be share with the full Council. He stated the report does not focus on people with disabilities and gets very deep into childcare which is the most significant benefits cliff in Kentucky. Jeff stated there is a desire to extend this report and action items to include people with disabilities.

There was no Transition Committee representative on the meeting to report to the Committee. Katie stated she has been working with the Committee on stories. Another issue is how to infuse the idea and priority of Employment First into their transition 360 curriculum and then look at the IPE guide which cross both the Public Policy Committee and Transition Committee.

Amanda Owen, Chair, Advocacy Committee, stated that the Committee is actively working on a document of FAQ's as it pertains to different targeted audiences to determine what are the top questions an employer would ask and then provide the answer as an employment specialist. The goal is to get employers down a pathway that allows them to obtain the information they need. The document has been shared in Google Drive to the Committee so that recommendations can be made directly to the document. Amanda stated the FAQ needs to be reviewed by the Committee before it goes to the full Council. She stated that the document will not be ready for the full Council in January so will seek input for approval at the April meeting. Katie suggested that the FAQ document could be sent to each Committee for review and input. Amanda

wants the document to be useful and be utilized. Katie suggested that this FAQ document could be added to all of the Committee's next meeting agendas for review and discussion and the Committee Chairs agreed. The Committee is trying to keep the document brief. Amanda thanked the Committee for any feedback they can give.

Finalize Agenda Items for January 10, 2025

Katie stated that every Committee will give a report as done at all meetings. Two presenters who are Council members will be sharing what their representation means to Employment First.

The presenters for January 10 will be as follows:

Employment First: The Provider Perspective, Amanda Owen
HB 214: "The Frank Huffman Act" & Employment First, Frank Huffman

Amanda asked about how to present Committee reports to the Council. Katie stated that in addition to action items that it would be good to bring up items that will be provided for further review and input. Committee Chairs could also provide a brief update on what Committees on working on that may be presented to the Council at a later date.

Nanci stated she can obtain a list of SMEs within a EconSys Portal and can provide that list to the Council.

Katie asked about the time frame for using the designated hours from NEON. Nanci stated the 200 hours must be used by August 31, 2025, with hopefully a start date of February 1, 2025. She said she will know more in the future to share with the Council.

Nanci will be sending the following information to Council members.

Agenda
Minutes
Committee packets with agendas and minutes
Annual Report
News Release and HB 214 for Frank Huffman's presentation.

If anyone has any other information, please get that to Nanci as soon as possible. She would like to send out the materials on December 26.

Outreach Materials for Employment First Council

Administrator, Nanci Howard announced the availability of outreach materials for Employment First, including a floor banner, tabletop banner, and tablecloth and checkout system for these materials is being developed to facilitate their use by council members for promoting Employment First initiatives.

Adjournment

Council Chair, Katie Wolf Whaley thanked everyone for their contribution and adjourned the meeting.

Meeting dates for 2026 will be forthcoming.