



Andy Beshear
Governor

Jamie Link
Education and Labor Cabinet Secretary

Public Policy Committee **Minutes**

June 13, 2024
9:00am – 10:00am
Zoom

Members Present: Chair, Diana Merzweiler, Jeff White, Andrew Johnson, Amy Luttrell and Katie Wolf Whaley

Members Absent: Gretta Hylton, Cora McNabb and Leslie Hoffman

Staff Present: Kentucky Office of Vocational Rehabilitation (KYOVR) Administrator, Nanci Howard, KYOVR Administrative Specialist, Division Director - Department of Workforce Development, Holly Hendricks

Guests Present: Project NEON Subject Matter Expert, Karen Lee, Kentucky Department of Education, Allison Johnson

Welcome, Introductions and Agenda Review:

Chair, Diana Merzweiler, welcome everyone to the meeting.

Update on CIE Definition Recommendation:

Katie Wolf Whaley informed the committee that Executive Director of Vocational Rehabilitation, Cora McNabb, Administrator, Nanci Howard, and the Executive Director of Legislative Services, Jordan Jones, met prior to the committee meeting to discuss the recommendation that the state definition align with the federal definition. Katie said Jordan is the person who will navigate the discussion with Senator Danny Carroll who sponsored the Employment First legislation. The recommendation is coming from the Council and should be moving forward throughout the summer.

Guidance on Following Strategic Plan/Project NEON Update:

Project NEON Lead Subject Expert, Karen Lee, provided an overview of Project NEON. She stated OVR applied for the Project NEON technical assistance grant and OVR has asked for multiple supports this year. She said ENON will support OVR by assisting with rate settings and looking at customized employment. Karen stated she continues to work with Ron O'Hair and his Supported Employment team and have met with them frequently. She announced this is a huge policy change but she is pleased with the success of the working relationship. She then announced that she has met with each committee chair. She continued to announce that the Employer Education and Engagement Committee was assigned a new SME named Steve Blanks who is the Director of

Partnerships at SEEC. As part of the committee's work, they will be hosting three, two-hour webinar on how providers can speak to employers. It will begin June 20th. She suggested Allison Johnson send information about the webinar series to educators as well so they may benefit from attending. Karen then stated the Provider Capacity committee has developed a capacity map. She asked if leadership from OVR and DDID have met. Nanci Howard said they had not met. Karen encouraged that partnership. Jeff White and Karen Lee began a discussion about Medicaid. She said she also met with the Advocacy and Education committee who have created an Employment First document. However, there is a document available that was approved by the council.

Chair, Diana Merzweiler, told Karen it was a great Segway into the specifics of the Public Policy committee's work. She stated she met with Karen, Nanci and Katie for guidance and support. Diana asked Karen how the committee should proceed moving forward with the recommendations to Medicaid. Karen provided some background information and feedback. Karen stated that waivers must be renewed every five years by law. She held discussion regarding the Access Rule that requires Medicaid be more open about their processes and how they receive feedback. She stated not every state has followed this. There were a lot of opportunities for input for states. But Kentucky Medicaid writes it and gets input. She said any time you open a law, everything in the law is open for discussion and the same thing are true for the waivers. When they open waivers for changing rates for example, they must receive public comment. The committee might have an opportunity to make recommendations at that time. She stated this would be an opportunity for the Council to make a wish list of recommendations they would like to have ready for public comments. Karen said the committee can write the letter with their recommendations. Diana Merzweiler asked if the committee sends a letter to another entity, would that letter have to be agreed upon by the full council. Katie informed the committee there is a representative from Medicaid who serves on the Council and asked if there was someone other than that individual that the letter would go to? Diana asked if she was in a decision-making role. Jeff White confirmed. Katie made the suggestion this topic be an agenda item and to let the Medicaid representative know of the recommendations ahead of time. Jeff White said that he has been meeting with Medicaid on a regular basis and the same documents the committee has regarding the review, they have. He said he thinks it would be helpful if there was communication from the Employment First Council to make recommendations during their next amendment. He said one recommendation could be to make Supported Employment a priority. Katie Wolf Whaley suggested at the July meeting that Diana mention to the full Council that the committee would like to be prepared to present those recommendations and ask for additional members who may like to participate in those discussions. Jeff White said he would contact Deputy Commissioner of Medicaid, Leslie Hoffman, who serves on the Council, to discuss how she would like to approach those discussions. Karen made the suggestion to come up with a "wish list" of recommendations. She suggested using a chart form listing the policy types and "wish list" for each and then schedule them for when those policies would be renewed. She believes this would be a great strategy for the committee.

Identified Barriers from 2023 Policy Review:

Katie Wolf Whaley said she looked over the reviews that individuals on the committee had submitted last year. She said questions were answered on the form that was created from NEON and how those policies align with Employment First. She said if the committee could create something to share that people could use as a tool to help eliminate barriers to employment that would be helpful. She stated these are more tools than policy changes. Chair, Diana Merzweiler asked if the case manager would be the one to bring that up since they are the coordinator of all services. Katie Wolf Whaley said the case managers are trained in the new orientation on Supported Employment

but that there is only 11% of people on the waiver that are working. She further said this is according to the NCI data report and shows that not a lot of case managers are talking about employment. She said whether it is a policy issue, or a training issue is the question. She informed the committee one of the charges of the Council is to collect data on increasing competitive integrated employment. She informed the committee there is no state data collection system that collects all the publicly funded supports for people with disabilities. KYOVR Assistant Director of Field Services, mentioned KYSTATS and data collection between agencies in the chat. Andrew Johnson said he had a meeting with KYSTATS about and they have some information and he said he would share this with the committee. Amy Luttrell, KYSTATS typically ask for funding but praised them for the work they do. She said that is something the committee investigate. Project NEON Lead Subject Matter Expert, Karen Lee, stated the best source of data collection are tied to funding and to get the funding you must document something. She stated Washington State gets funded based on turning in their data. She said Maryland collects two weeks of data at a time. Jeff White stated there is 48% of participants in waiver funding who want to work. Katie Wolf Whaley shared statistics from the NCI data. She stated there are only 11% of individuals with developmental and intellectual disabilities are working, 45% want to work and 15% of say they want to work who are unemployed have it written in their plan. Katie then announced there will be changes in OVR's Supported Employment rates on August 1st and that waiver rates will increase. Those changes may shift some things that were written up in reviews, she said.

Kentucky Department of Education IEP Guidance Document/Grant Discussion:

She then held discussion regarding the IEP guidance document and the Disability Innovation Grant (DIF) Grant. She stated there would be some staff development associated with the grant. The IEP guidance gets updated annually. Diana Merzweiler suggested getting in touch with the ARC Chair in the schools. Allison Johnson provided some information on the plan moving forward with the DIF Grant. She stated KDE staff are working on improving the language of the IEP guidance document and that the second piece would be the Transition 360 for educators. She informed the committee this would be 5-year program. Allison continued to state that KDE is in the process of developing online training modules and information. The modules would cover transition planning, etc. for all students. She informed the committee the training modules should be available September 1st. Allison said along with the curriculum, KDE is developing additional resources such as a planning tool. She then announced that KDE is working closely with the Centers for Independent Living Working and the Office of Vocational Rehabilitation to support educators. She then stated the IEP guidance document changes annually. However, the document is revised with major changes every two years. There is a curriculum committee she said. Allison stated the agency is not building from scratch. She said TACE from Utah is involved as well. Karen Lee suggested getting OVR and DDID at the table for discussions. Allison Johnson stated the DIF Grant consists of building those partnerships and is in the planning stages. Allison stated she is open to have a conversation with Karen Lee in regard to the DIF grant.

Next Meeting Dates:

Public Policy Committee:

Thursday, August 15, 2024

9:00am-10:00am EST

[Zoom](#)

Meeting ID: 859 4707 5457

Passcode: 654000

Employment First Council:

Friday, July 12th, 2024

1:00pm – 3:00pm EST

[Zoom](#)

Meeting ID: 831 4350 9206

Passcode: 100392

Hybrid Format

Location: Transportation Cabinet
200 Mero Street
Conference Room C107
Frankfort, KY 40622

500 Mero Street • 4th Floor NE • Frankfort, KY • 40601

Toll Free: (800) 372 - 7172 • Direct: (502) 782-3421 • Email: Nanci.Howard@ky.gov