

**RSA-227 - Annual Client Assistance Program (CAP) Report**

**Michigan (MICHIGAN PROTECTION AND ADVOCACY SERVICES, INC. -- CLIENT ASSISTANCE PROGRAM) - H161A160010 - FY2016**

**General Information**

**Designated Agency Identification**

|                 |   |
|-----------------|---|
| Name            | Michigan Protection & Advocacy Service Inc. |
| Address         | 4095 Legacy Parkway                         |
| Address Line 2  | Suite 500                                   |
| City            | Lansing                                     |
| State           | Michigan                                    |
| Zip Code        | 48911                                       |
| E-mail Address  | ecerano@mpas.org                            |
| Website Address | http://www.mpas.org                         |
| Phone           | (517) 487-1755                              |
| TTY             | (517) 374-4687                              |
| Toll-free Phone | (800) 288-5923                              |
| Toll-free TTY   | (800) 288-5923                              |
| Fax             | (517) 487-0827                              |

**Operating Agency (if different from Designated Agency)**

|                 |  |
|-----------------|--|
| Name            |  |
| Address         |  |
| Address Line 2  |  |
| City            |  |
| Zip Code        |  |
| E-mail Address  |  |
| Website Address |  |
| Phone           |  |
| TTY             |  |
| Toll-free Phone |  |
| Toll-free TTY   |  |
| Fax             |  |

**Additional Information**

Name of CAP Director/Coordinator | [REDACTED]

|                                    |                |
|------------------------------------|----------------|
| Person to contact regarding report | [REDACTED]     |
| Contact Person Phone               | (517) 487-1755 |

## Part I. Non-case Services

### A. Information and Referral Services (I&R)

Multiple responses are not permitted.

|   |     |
|---|-----|
| 1. Information regarding the vocational rehabilitation (VR) program | 102 |
| 2. Information regarding independent living programs                | 6   |
| 3. Information regarding American Indian VR Service projects        | 1   |
| 4. Information regarding Title I of the ADA                         | 2   |
| 5. Other information provided                                       | 9   |
| 6. Information regarding CAP  | 80  |
| 7. Total I&R services provided (Lines A1 through A6)                | 200 |

### B. Training Activities

|  |    |
|--|----|
| 1. Number of training sessions presented to community groups and public agencies.  | 1  |
| 2. Number of individuals who attended these training sessions.   | 25 |
| 3. Describe training presented by the staff. Include the following information:<br>(a) topics covered<br>(b) purpose of the training<br>(c) description of the attendees(a) Social Security benefits (b) To assist in their understanding of Social Security benefits and how to better plan for employment using work incentives. (c) To both professionals of social service agencies and social security beneficiaries. |    |

### C. Agency Outreach

Describe the agency's outreach efforts to previously un-served or underserved individuals including minority communities.

In conjunction with other funders, MPAS staff members participated in 10 outreach events for individuals that included information about the CAP program. The 783 individuals who attended these events included both professionals who work with persons with disabilities and individuals with disabilities.

The 10 presentations included:

Homeless Connect - Bay County Homeless Connect - Clare County Homeless Connect - Dickinson County Homeless Connect - Gratiot County Homeless

Connect - Iron County Homeless Connect - Lansing Homeless Connect for Kids - Lansing Homeless Connect - Oceana County Homeless Connect - St. Ignace Homeless Connect - Taylor

**D. Information Disseminated To The Public By Your Agency**

For each method of dissemination, enter the total number of each method used by your agency during the reporting period to distribute information to the public. For publications/booklets/brochures (item 4), enter the total number of documents produced. Agencies should not include website hits. See instructions for details.

|  |      |
|--|------|
| 1. Agency Staff Interviewed or Featured on Radio and TV                | 0    |
| 2. Articles about CAP Featured in Newspaper/Magazine/Journals          | 13   |
| 3. PSAs/Videos Aired about the CAP Agency                              | 0    |
| 4. Publications/Booklets/Brochures Disseminated by the Agency          | 7989 |
| 5. Number of Times CAP Exhibited at Conferences, Community Fairs, etc. | 10   |
| 6. Other (specify below)n/a  |      |

**E. Information Disseminated About Your Agency By External Media Coverage**

Describe the various sources and information disseminated about your agency by an external source.

In FY 2016, MPAS accumulated 263 new Facebook friends/likes. Since launching the MPAS Facebook page in August 2009, MPAS has accumulated 1,635 Facebook friends/likes.

During FY 2016, the MPAS website had 29,432 visitors. Of those visitors, there were a total of 39,495 sessions. Of these total users, 73.56% were new visitors who had never been to mpas.org before.

## Part II. Individual Case Services

### A. Individuals served

An individual is counted only once during a fiscal year. Multiple counts are not permitted for Lines A1-A3.

|   |     |
|---|-----|
| 1. Individuals who are still being served as of October 1 (carryover from prior year)   | 37  |
| 2. Additional individuals who were served during the year   | 78  |
| 3. Total individuals served (Lines A1+A2)   | 115 |
| 4. Individuals (from Line A3) who had multiple case files opened/closed this year (In unusual situations, an individual may have more than one case file opened/closed during a fiscal year. This number is not added to the total in Line A3 above.) | 0   |
| 5. Individual still being served as of September 30 (Carryover to next year. This total may not exceed Line A3.)  | 39  |

### B. Problem areas

Multiple responses permitted.

|  |    |
|--|----|
| 1. Individual requests information   | 0  |
| 2. Communication problems between individual and VR counselor  | 44 |
| 3. Conflict about VR services to be provided   | 46 |
| 4. Related to VR application/eligibility process   | 13 |
| 5. Related to assignment to order of selection priority category   | 0  |
| 6. Related to IPE development/implementation   | 10 |
| i. Selection of vendors for provision of VR services<br>ii. Selection of training, post-secondary education<br>iii. Selection of employment outcome<br>iv. Transition services |    |
| 7. Related to independent living services  | 0  |
| 8. Other Rehabilitation Act-related problems   | 7  |
| 9. Non-Rehabilitation Act related  | 0  |
| i. TANF<br>ii. SSI/SSDI<br>iii. Housing<br>iv. Other:  |    |
| 10. Related to Title I of the ADA  | 1  |

### C. Intervention Strategies for closed cases

(Choose one primary service the CAP provided for each closed case file. There may be more case files than actual individuals served.)

|  |    |
|--|----|
| 1. Short Term Technical Assistance                               | 3  |
| 2. Investigation/Monitoring                                      | 26 |
| 3. Negotiation   | 49 |
| 4. Mediation and other methods of Alternative Dispute Resolution | 1  |
| 5. Administrative / Informal Review                              | 2  |
| 6. Formal appeal / Fair Hearing                                  | 1  |
| 7. Legal remedy / Litigation                                     | 0  |
| 8. Total   | 82 |

#### D. Reasons for closing individuals' case files

(Choose one primary reason for closing each case file. There may be more case files than the total number of individuals served.)

|  |    |
|--|----|
| 1. All issues resolved in individual's favor                                     | 42 |
| 2. Some issues resolved in individual's favor (when there are multiple issues)   | 1  |
| 3. CAP determines VR agency position/decision was appropriate for the individual | 14 |
| 4. Individual's case lacks legal merit; (inappropriate for CAP intervention)     | 3  |
| 5. Individual chose alternative representation                                   | 0  |
| 6. Individual withdrew complaint   | 14 |
| 7. Issue not resolved in clients favor   | 1  |
| 8. CAP services not needed due to individual's death, relocation, etc.           | 1  |
| 9. Individual not responsive/cooperative with CAP                                | 6  |
| 10. CAP unable to take case due to lack of resources                             | 0  |
| 11. Conflict of interest   | 0  |
| 12. Other (Please explain below)n/a  |    |

#### E. Results achieved for individuals

(Choose one primary outcome for each closed case file. There may be more case files than the total number of individuals served.)

|   |    |
|---|----|
| 1. Controlling law/policy explained to individual | 32 |
| 2. Application for services completed             | 1  |
| 3. Eligibility determination expedited            | 8  |
| 4. Individual participated in evaluation          | 3  |

|  |    |
|--|----|
| 5. IPE developed/implemented/Services Provided                     | 16 |
| 6. Communication re-established between individual and other party | 14 |
| 7. Individual assigned to new counselor/office                     | 5  |
| 8. Alternative resources identified for individual                 | 3  |
| 9. ADA/504/EEO/OCR complaint made                                  | 0  |
| 10. Other (Please explain below)n/a                                |    |

### Part III. Program Data

#### A. Age

Multiple responses not permitted.

|   |     |
|---|-----|
| 1. Up to 18   | 1   |
| 2. 19 - 24  | 13  |
| 3. 25 - 40  | 32  |
| 4. 41 - 64  | 63  |
| 5. 65 and over  | 6   |
| 6. Total (Sum of Lines A1 through A5. Total must equal Part II, Line A3.) | 115 |

#### B. Gender

Multiple responses not permitted.

|  |     |
|--|-----|
| 1. Females   | 54  |
| 2. Males   | 61  |
| 3. Total (Lines B1+B2. Total must equal Part II, Line A3.) | 115 |

#### C. Race/ethnicity of Individuals Served

|   |    |
|---|----|
| 1. Hispanic/Latino of any race (for individuals who are non-Hispanic/Latino only) | 3  |
| 2. American Indian or Alaskan Native  | 1  |
| 3. Asian  | 0  |
| 4. Black or African American  | 45 |
| 5. Native Hawaiian or Other Pacific Islander                                      | 0  |
| 6. White  | 63 |
| 7. Two or more races  | 0  |
| 8. Race/ethnicity unknown   | 3  |

#### D. Primary disabling condition of individuals served

Multiple responses not permitted.

|  |   |
|--|---|
| 1. Acquired Brain Injury                 | 0 |
| 2. ADD/ADHD                              | 2 |
| 3. AIDS/HIV                              | 1 |
| 4. Amputations or Absence of Extremities | 0 |

|  |     |
|--|-----|
| 5. Arthritis or Rheumatism   | 0   |
| 6. Anxiety Disorder  | 1   |
| 7. Autism Spectrum Disorder  | 7   |
| 8. Autoimmune or Immune Deficiencies (excluding AIDS/HIV)                  | 0   |
| 9. Blindness (Both Eyes)   | 9   |
| 10. Other Visual Impairments (Not Blind)                                   | 5   |
| 11. Cancer   | 1   |
| 12. Cerebral Palsy   | 3   |
| 13. Deafness   | 7   |
| 14. Hard of Hearing/Hearing Impaired (Not Deaf)                            | 3   |
| 15. Deaf-Blind   | 1   |
| 16. Diabetes   | 1   |
| 17. Digestive Disorders  | 0   |
| 18. Epilepsy   | 0   |
| 19. Heart & Other Circulatory Conditions                                   | 1   |
| 20. Intellectual Disability  | 8   |
| 21. Mental Illness   | 30  |
| 22. Multiple Sclerosis   | 1   |
| 23. Muscular Dystrophy   | 1   |
| 24. Muscular/Skeletal Impairment   | 2   |
| 25. Neurological Disorders/Impairment                                      | 4   |
| 26. Orthopedic Impairments   | 18  |
| 27. Personality Disorders  | 0   |
| 28. Respiratory Disorders/Impairment                                       | 0   |
| 29. Skin Conditions  | 0   |
| 30. Specific Learning Disabilities (SLD)                                   | 6   |
| 31. Speech Impairments   | 1   |
| 32. Spina Bifida   | 0   |
| 33. Substance Abuse (Alcohol or Drugs)                                     | 2   |
| 34. Other Disability   | 0   |
| 35. Total (Sum of Lines D1through D34. Total must equal Part II, Line A3.) | 115 |

### **E. Types of Individual Served**

Multiple responses permitted.

|   |    |
|---|----|
| 1. Applicant of VR  | 12 |
| 2. Individual eligible for VR services currently on a wait list     | 0  |
| 3. Individual eligible for VR services not currently on a wait list | 97 |
| 4. Applicant or individual eligible for Independent Living          | 1  |

|   |   |
|---|---|
| 5. Transition student/High school student   | 4 |
| 6. All other applicants or individuals eligible for other programs or projects funded unther Rehabilitation Act | 1 |

## Part IV. Systemic Activities and Litigation

### A. Non-Litigation Systemic Activities

|   |   |
|---|---|
| 1. Number of non-litigation systemic activities not involving individual representation that resulted in the change of one or more policy or practice of an agency. | 3 |
|---|---|

2. Describe the systemic activities conducted by CAP during the fiscal year and its impact on other agency's policies or practices. MPAS serves on the Michigan Council for Rehabilitation Services (MCRS). The Rehabilitation Council advises both the Bureau of Services for Blind Persons (BSBP) and the Michigan Rehabilitation Services (MRS) in development of the state plan and completion of the federally required needs assessment. The Council also assists with customer satisfaction surveys, training or employment opportunities, and completion of the required annual report on the status of VR services in Michigan. As part of involvement with the MCRS, MPAS' CAP director hosted award ceremonies at both BSBP and MRS promoting best practices in employment supports. Although the activities for the Council are important, MPAS' highest priority is to provide advice and express the concerns of people with disabilities regarding vocational rehabilitation.

MPAS submitted comments on the Workforce Innovation and Opportunity Act (WIOA) combined state work plan, advocating for increased support for competitive, integrated employment. The plan was revised and resubmitted for additional comment with positive changes suggesting the state would work harder to coordinate and revise services to promote competitive integrated employment. MPAS also advocated for the Governor's adoption of an "Employment First" policy. Although the policy included services from community rehabilitation organizations and other sheltered employment providers as part of its language, it still embraced competitive, integrated employment as the first option for people with disabilities. Finally, MPAS successfully advocated in persuading the state Developmental Disabilities Council to adopt a position to repeal the state subminimum wage for people with disabilities.

The MPAS Employment Team Director participates in the MRS Policy Cadre. As a member of the Policy Cadre, MPAS has the opportunity to influence changes impacting the delivery of VR services to MRS consumers by participating in review and writing of policy and procedures. MPAS was involved in discussing several policy issues during Policy Cadre meetings including: IPE extensions; MRS application; confidentiality and release of information; interpreter services; supported employment; and implementation of trial work experience. Through MPAS involvement we were able to voice concerns and improve the polices.

## B. Litigation

|  |   |
|--|---|
| 1. Total number of CAP cases requiring litigation involving individual representation resulting in, or with the potential for, systemic change.  |   |
| a. Number of cases requiring litigation involving individual representation filed during fiscal year.  | 3 |
| b. Number of on-going cases pending at start of fiscal year (carryover from prior fiscal year).  | 0 |
| c. Number of cases resolved through litigation during fiscal year.   | 3 |
| 2. Describe the agency's on-going and completed systemic litigation activities involving individual representation. Two cases involved clients who are sisters. Both individuals contacted Michigan Protection & Advocacy Service, Inc. (MPAS) after learning Michigan Rehabilitation Services (MRS) determined it would not issue payment for their last semesters at Gallaudet and Siena Heights University. An MPAS attorney advised the clients to file administrative appeals. MPAS investigated further, attempted to negotiate with the Attorney General's office, and represented the clients in prehearing conference calls with the Administrative Law Judge (ALJ). It wasn't until the ALJ implied she would rule in the clients' favor against the motion for dismissal that the AG's office was willing to have a discussion on the substantive issues. MPAS facilitated a settlement with MRS, by which MRS assisted in providing financial support for both clients last semesters in school. |   |
| Client contacted Michigan Protection and Advocacy Service, Inc. (MPAS) seeking legal representation in her appeal of a Michigan Rehabilitation Services' (MRS) decision to cap her tuition assistance at the Art Institute of Pittsburg. Her case was initially dismissed by the Administrative Law Judge before a hearing could be held, but MPAS appealed that decision to the Circuit Court in Ingham County. MPAS was successful on appeal, and the client's case was remanded back to the Administrative Court for hearing. Once back in the Administrative Court, a motion for summary disposition was filed on the client's behalf and extensive briefing was done to argue the extent of the Administrative Law Judge's power to award relief. Before the hearing on the client's motion for summary disposition, MRS offered to settle the client's claim in exchange for the sum of \$16,000. The client agreed to accept this amount in exchange for dismissing the case against MRS.             |   |

## Part V. Agency Information

### A. Designated Agency

|   |   |
|---|---|
| 1. Agency Type (select only one option)               | External-Protection and Advocacy agency |
| 2. Name of designate agency                           | Michigan Protection & Advocacy Services |
| 3. Is the designated agency contracting CAP services? | No                                      |
| 4. If yes, name of contracting agency:                | n/a                                     |

### B. Staff Employed

Provide a description of all CAP positions (see instructions)

Admin/IS/HR/Finance 9.8% 0.37

Support Staff 21.2% 0.80

Advocate 45.1% 1.70

Attorney 2.7% 0.10

Director 18.6% 0.70

Executive 2.7% 0.10 100% 3.77

## Part VI. Case Examples

Provide some examples of some interesting cases during the past fiscal year.

Client contacted MPAS to investigate why Michigan Rehabilitation Service (MRS) was not providing assistance with attending school. During our investigation, it was discovered the client needed to provide additional financial information to MRS in order for them to assist. Once the client provided the information, he was able to enroll in school and MRS assisted with tuition, books and other related expenses.

Client contacted MPAS to investigate a denial of transportation assistance from Michigan Rehabilitation Service (MRS). After MRS informed the client they would assist her with the purchase of a vehicle, they later denied the assistance after receiving some diagnostic testing results. After talking with MRS, it was suggested the client apply for transportation service through Access Routes Commute System which assists people to and from work when the bus system doesn't work for them. The Client was then approved for this service.

Client contacted MPAS to investigate why Michigan Rehabilitation Service (MRS) would not provide her with college supports. Throughout our investigation, MPAS was able to provide the client with advice, references and information on how to appeal the denial of services. As a result, the client was able to meet with MRS, which then decided to pay for its portion of the college supports which were initially written in the client's Individual Plan for Employment (IPE). Client contacted MPAS to investigate why Michigan Rehabilitation Service (MRS) was not providing him with appropriate work space accommodations. To investigate the client's concerns, a MPAS advocate spoke with the client's MRS counselor who the client would be provided the accommodations he required. After informing the client MRS would provide the accommodations, the client later called and informed his advocate MRS had provided the funding necessary to make the accommodations.

Client contacted MPAS to investigate why MRS would not provide assistance with transportation to get to and from work. The advocate advised the client on how MRS' policy worked in regard to transportation and car purchases. The advocate then spoke to the client's MRS counselor and discussed the client's needs for transportation. As a result, the client and the counselor were able to discuss transportation needs, and MRS agreed to assist with the purchase of vehicle.

Client contacted MPAS to investigate why Michigan Rehabilitation Service (MRS) would not provide the services listed in his Individualized Plan for Employment (IPE) as well as being assigned a new counselor. When the advocate first spoke with the client he said he had been working with MRS for the past several months and there was a misunderstanding about what types of jobs he was

interested in. This was very frustrating since the client had previously completed Certified Nursing Assistant (CNA) training. The MPAS advocate contacted MRS and was able to assist the client in being assigned to a new counselor who met with the client to amend the IPE and set new employment goals.

An MPAS Advocate provided advocacy assistance to a client who was having issues with receiving hearing aids and employment services from MRS. After meeting with the client and MRS on several occasions, it was agreed that MRS would again provide the client with new hearing aids and begin working with a job developer.

Certification

**Approved**

Reports are to be submitted to RSA within 90 days after the end of the fiscal year covered by this report. Please be reminded that you can enter data directly into RSA's website via the internet. Information on transmittal of the form is found on pages 19 and 20 of the reporting instructions.

|                                     |                               |
|-------------------------------------|-------------------------------|
| Name of Designated Agency Official  | Elmer L.<br>Cerano            |
| Title of Designated Agency Official | MPAS<br>Executive<br>Director |
| Date Signed                         | 12/14/2016                    |