

State: MASSACHUSETTS

# **STATE PLAN FOR INDEPENDENT LIVING (SPIIL)**

## **Chapter 1, Title VII of the Rehabilitation Act of 1973, as Amended**

**STATE INDEPENDENT LIVING SERVICES (SILS) PROGRAM  
PART B**

**CENTERS FOR INDEPENDENT LIVING (CIL) PROGRAM  
PART C**

**FISCAL YEARS 2008 - 2010**

Effective Date: 10/1/2007

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## PART I: Assurances

State of: MA

### Section 1: Legal Basis and Certifications

- 1.1 The designated State unit (DSU) eligible to submit the State Plan for Independent Living (SPIL or the plan) and authorized under State law to perform the functions of the State under the State Independent Living Services (SILS) and Centers for Independent Living (CIL) programs is The Massachusetts Rehabilitation Commission (insert name of DSU). *34 CFR 76.104(a)(1) and (2); 34 CFR 364.22(a)*
- 1.2 The separate State agency eligible to submit the plan and authorized under State law to provide vocational rehabilitation (VR) services to individuals who are blind is The Massachusetts Commission for the Blind (insert name of separate State agency). Indicate N/A if not applicable. *34 CFR 76.104(a)(1) and (2); 34 CFR 364.20(d) and 364.22(c)*
- 1.3 The Statewide Independent Living Council (SILC) that meets the requirements of section 705 of the Act and is authorized to perform the functions outlined in section 705(c) of the Act in the State is The Massachusetts Statewide Independent Living Council (insert name of SILC). *34 CFR 364.21(a)*
- 1.4 The DSU and, if applicable, the separate State agency authorized to provide VR services to individuals who are blind, and the SILC are authorized to jointly develop, sign and submit this SPIL on behalf of the State, and have adopted or otherwise formally approved the SPIL. *34 CFR 76.104(a)(7); 34 CFR 364.20(c) and (d)* YES
- 1.5 The DSU, and, if applicable, the separate State agency authorized to provide VR services to individuals who are blind, may legally carry out each provision of the plan and will comply with all applicable Federal statutes and regulations in effect with respect to the three-year period it receives funding under the SPIL. *34 CFR 76.104; 34 CFR 80.11(c)* YES
- 1.6 The SPIL is the basis for State operation and administration of the program. All provisions of the SPIL plan are consistent with State law. *34 CFR 76.104(a)(4) and (8)* YES
- 1.7 The representative(s) of the DSU and, if applicable, of the separate State agency authorized to provide VR services to individuals who are blind, who has/have the authority under State law to receive, hold, and disburse Federal funds made available under the SPIL and to submit the SPIL jointly with the SILC chairperson is/are: Elmer C. Bartels, Commissioner, Massachusetts Rehabilitation Commission (Name of DSU director) and David P. Govostes, Commissioner, Massachusetts Commission for the Blind (Name of separate State agency director). *34 CFR 76.104(a)(5) and (6)*

### Section 2: SPIL Development

- 2.1 The plan shall be reviewed and revised not less than once every three years, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide and comprehensive basis, the needs in the State for:
- (A) The provision of State independent living services;
  - (B) The development and support of a statewide network of centers for independent living; and
  - (C) Working relationships between programs providing independent living services and independent living centers, the vocational rehabilitation program established under title I, and other programs providing services for individuals with disabilities. *34 CFR 364.20(f)*
- 2.2 The DSU and SILC conduct public meetings to provide all segments of the public, including interested groups, organizations and individuals, an opportunity to comment on the State plan prior to its submission to the Commissioner and on any revisions to the approved State plan. *34 CFR 20(g)(1)*
- 2.3 The DSU and SILC establish and maintain a written description of procedures for conducting public meetings in accordance with the following requirements:
- The DSU and SILC shall provide:
- i. Appropriate and sufficient notice of the public meetings (that is, at least 30 days prior to the public meeting through various media available to the general public, such as newspapers and public service announcements, and through specific contacts with appropriate constituency groups and organizations identified by the DSU and SILC);
  - ii. Reasonable accommodation to individuals with disabilities who rely on alternative modes of communication in the conduct of the public meetings, including providing sign language interpreters and audio-loops; and
  - iii. Public meeting notices, written material provided prior to or at the public meetings, and the approved State plan in accessible formats for individuals who rely on alternative modes of communication. *34 CFR 364.20(g)(2)*
- 2.4 At the public meetings to develop the State plan, the DSU and SILC identify those provisions in the SPIL that are State-imposed requirements beyond what would be required to comply with the regulations in 34 CFR parts 364, 365, 366, and 367. *34 CFR 364.20(h)*
- 2.5 The DSU will seek to incorporate into and describe in the State plan any new methods or approaches for the provision of IL services to older individuals who are blind that are developed under a project funded under chapter 2 of title VII of the Act and that the DSU determines to be effective. *34 CFR 364.28*
- 2.6 The DSU and SILC actively consult, as appropriate, in the development of the State plan with the director of the Client Assistance Program (CAP) authorized under section 112 of the Act. *34 CFR 364.20(e)*

### **Section 3: Independent Living Services**

- 3.1 The State, directly or through grants or contracts, will provide IL services with Federal, State, or other funds. *34 CFR 364.43(b)*
- 3.2 Independent living services shall be provided to individuals with significant disabilities in accordance with an independent living plan mutually agreed upon by an appropriate staff member of the service provider and the individual, unless the individual signs a waiver stating that such a plan is unnecessary. *34 CFR 364.43(c)*
- 3.3 All service providers will use formats that are accessible to notify individuals seeking or receiving IL services under chapter 1 of title VII about:
- (a) The availability of the CAP authorized by section 112 of the Act;
  - (b) The purposes of the services provided under the CAP; and
  - (c) How to contact the CAP. *34 CFR 364.30*
- 3.4 Participating service providers meet all applicable State licensure or certification requirements. *34 CFR 365.31(c)*

### **Section 4: Eligibility**

- 4.1 Any individual with a significant disability, as defined in 34 CFR 364.4(b), is eligible for IL services under the SILS and CIL programs authorized under chapter 1 of title VII of the Act. Any individual may seek information about IL services under these programs and request referral to other services and programs for individuals with significant disabilities, as appropriate. The determination of an individual's eligibility for IL services under the SILS and CIL programs meets the requirements of 34 CFR 364.51. *34 CFR 364.40(a), (b) and (c)*
- 4.2 Service providers apply eligibility requirements without regard to age, color, creed, gender, national origin, race, religion or type of significant disability of the individual applying for IL services. *34 CFR 364.41(a)*
- 4.3 Service providers do not impose any State or local residence requirement that excludes any individual who is present in the State and who is otherwise eligible for IL services from receiving IL services. *34 CFR 364.41(b)*

### **Section 5: Staffing Requirements**

- 5.1 Service provider staff includes personnel who are specialists in the development and provision of IL services and in the development and support of centers. *34 CFR 364.23(a)*
- 5.2 To the maximum extent feasible, a service provider makes available personnel able to communicate:

(1) With individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille or audio tapes, and who apply for or receive IL services under title VII of the Act and (2) in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act. *34 CFR 364.23(b)*

5.3 Service providers establish and maintain a program of staff development for all classes of positions involved in providing IL services and, if appropriate, in administering the CIL program. The staff development programs emphasize improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy. *34 CFR 364.24*

5.4 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will take affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act. *34 CFR 364.31*

## **Section 6: Fiscal Control and Fund Accounting**

6.1 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will comply with applicable EDGAR fiscal and accounting requirements and will adopt those fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for those funds. *34 CFR 364.34*

## **Section 7: Recordkeeping, Access and Reporting**

7.1 In addition to complying with applicable EDGAR recordkeeping requirements, all recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will maintain records that fully disclose and document:

- a) The amount and disposition by the recipient of that financial assistance;
- b) The total cost of the project or undertaking in connection with which the financial assistance is given or used;
- c) The amount of that portion of the cost of the project or undertaking supplied by other sources;
- d) Compliance with the requirements of chapter 1 of title VII of the Act and Part 364 of the regulations; and
- e) Other information that the Commissioner determines to be appropriate to facilitate an effective audit. *34 CFR 364.35(a) and (b)*

7.2 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will submit reports that the Commissioner determines to be appropriate with respect to the records that are required by *34 CFR 364.35* and *.36*

7.3 All recipients of financial assistance under parts B and C of chapter 1 and chapter 2 of title VII of the Act will provide access to the Commissioner and the Comptroller General, or any of their duly authorized representatives, to the records listed in 34 CFR 364.37 for the purpose of conducting audits, examinations and compliance reviews. *34 CFR 364.37*

**Section 8: Protection, Use and Release of Personal Information**

8.1 Each service provider will adopt and implement policies and procedures to safeguard the confidentiality of all personal information, including photographs and lists of names in accordance with the requirements of 34 CFR 364.56(a)(1-6). *34 CFR 364.56(a)*

**Section 9: Signatures**

After having carefully reviewed all of the assurance in sections 1 – 8 of this SPIL, the undersigned hereby affirm that the State of MASSACHUSETTS is in compliance and will remain in compliance with the aforementioned assurances during the three-year period of this SPIL.

The effective date of this SPIL is:

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SIGNATURE OF SILC CHAIRPERSON	DATE
<u>Nancy Rumbolt-Trzcinski</u>	
NAME OF SILC CHAIRPERSON	

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SIGNATURE OF DSU DIRECTOR	DATE
<u>Elmer C. Bartels</u>	
NAME AND TITLE OF DSU DIRECTOR	

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SIGNATURE OF DIRECTOR OF THE SEPARATE STATE AGENCY FOR INDIVIDUALS WHO ARE BLIND	DATE
<u>David P Govostes</u>	
NAME AND TITLE OF THE DIRECTOR OF THE SEPARATE STATE AGENCY FOR INDIVIDUALS WHO ARE BLIND	



## **Part II: Narrative**

### **Section 1: Goals, Objectives and Activities**

#### **1.1 Goals and Mission – 34 CFR 364.42(b)(1)**

1.1A Describe the overall goals and mission of the State's IL programs and services. The SPIL must address the goals and mission of both the SILS and the CIL programs.

(a) Promote a philosophy of independent living (IL), including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual, and system advocacy, to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities, and to promote and maximize the integration and full inclusion of individuals with significant disabilities into the mainstream of American society by providing financial assistance to States;

(b) Provide financial assistance for providing, expanding, or improving the provision of IL services;

(c) Provide assistance to develop and support a Statewide network of centers for independent living (CILs), operated by consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agencies that are operated within local communities by individuals with disabilities and that provide an array of IL services; and

(d) Advocate for improving working relationships among the various entities providing services to and for people with significant disabilities.

(e) The SILC Advocacy Committee will work with the ILC's, the DPC and CHAPA on passage of the Housing Bond Bill that provides funding for the Facilities Consolidation Fund (FCF), the Community Based Housing (CBH) Program and the Home Modification Loan Program (HMLP) to expand housing options for people with all types of disabilities.

(f) SILC will work on establishing ties with the regions two RCEPS who's job it is to assist ILCs with information regarding opportunities for impacting education and training of teachers, ILC Staff and future leaders in the independent living community.

(g) Health and Long term Services and Supports:

Full implementation of the rights and options defined in Olmstead which must include a full commitment to funding and consumer direction and control of a Community First array of services and supports for citizens with disabilities.

1.2 Objectives – 34 CFR 364.42(a)(1) and (d); 34 CFR 364.32; 34 CFR 364.33

1.2A Specify the objectives to be achieved and the time frame for achieving them.

During year one of the plan the SILC, Centers, and DSU's will advocate for additional state funding to bring each of the centers in the Commonwealth up to a base funding level of \$450,000.

During Year One the SILC & ILC's will advocate for an additional \$100,000 for growth and expansion of the SILC itself. This includes things such as Annual Conference & Training needs to be included as a funded line item in our budget at the beginning of each year.

During Year One the SILC will also form a committee to investigate the need of the addition of four new consultant positions at the SILC each focusing on statewide issues of systemic change including;

- Transportation
- Housing
- Long Term Care
- Communication & Networking

During year one the SICL & CILS & DSU's will advocate for additional State and Federal dollars to bring the existing 11 centers in the network up to a minimum base level funding of \$450,000 per center.

During year one the SILC, Centers, and DSU's will advocate for an additional \$325,000 to \$340,000 dollars to address expansion of the IL network. This money would be used to fund a new Center/Satellite to be spun off into a free standing center within three years located to the northwest suburbs of Boston which have been identified as the most underserved areas of our commonwealth.

During year one and continuing through year three the SILC, DSU's & Centers will continue to advocate for support of the Massachusetts Network of Information Providers, which is the disability community driven fully accessible web based database for finding services and supports including housing by persons with disabilities and service providers SILC will work on this goal through a combination of legislator education days, information to SILC and ILC and other IL supporters/advocates through MILAN, a web based list serve for notification of legislation and events, writing of letters of support for legislation and funding on the above issues, and provision of forums and workshops, when feasible and appropriate on above items.

During years two and three the SILC, CIL's, & DSU's would continue to advocate and educate both State and Federal officials as to the unmet needs the centers face both locally and nationally seeking addition funding to close any gaps in services to these populations. And to address the expansion of the SILC & CIL network in the commonwealth.

During years Two & Three the SILC, CIL's & DSU's will advocate for the additional state funds needed to focus on expansion of the SILC & statewide issues of systemic change.

During year two the SILC, Centers, & DSU's will advocate for additional state dollars needed to raise the base level funding for existing centers in the network to \$625,000 each.

Years One through Three, the SILC will advocate for the following housing goals;

- HMLP- to expand the definition of those to be served from "those who are blind and have severe physical disabilities" to "those who are blind and have significant disabilities". Removing the requirement of having a "physical" disability will allow individuals with other disabilities, such as autism, Alzheimer's and other emotional/behavioral disabilities to access funding to provide safety related modifications to enable such individual to live at home.
- CBH- maintain emphasis on providing funding for the development of housing in "integrated" settings in the community and do not require this housing to offer supportive services.
- FCF- advocate for requirements that provide more consumer choice and control of their housing. Expand the models to be funded beyond group homes for DMR eligible individuals.

The SILC will also join with other organizations to advocate for more subsidy and voucher programs on the state and federal levels that individuals can use to acquire housing in the private market.

The SILC Advocacy Committee will invite representatives from CHAPA and United to its meetings to coordinate and collaborate on housing related advocacy. Advocacy to include but not be limited to; letter writing and meetings with state officials to educate them on the housing needs of people with disabilities, participate in reviewing regulations governing operation of programs and make recommendations, provide testimony on the value of visitability and universal design to give options for individuals to age in place.

During years one through three the SILC & DSU's will work on establishing ties with the RCEPS located at University of Massachusetts in Boston and Assumption College in Worcester to develop trainings for teachers, ILC Staff and future leaders in the independent living community and also within higher learning academia

During years One through Three Full implementation of the rights and options defined in Olmstead which must include a full commitment to funding and consumer direction and control of a Community First array of services and supports for citizens with disabilities; Commonwealth of Massachusetts Application, crafted by representatives of the disability and independent living community, and subsequent implementation of Money Follows the Person, if the federal government so opens up this option again  
Revision of the 1115 waiver application to include commitment to consumer control and the ADRC collaborative process  
Continued support for full implementation of the PCA WorkForce Council and increased wages and benefits for PCAs

During year three the SILC & CIL's will advocate for additional funding for further expansion of the CIL network in the Commonwealth. Once again advocating for an additional \$325,000 to \$340,000 in funding for the funding of a second Center/Satellite to be spun off into a free standing center to the southeast of metropolitan Boston.

1.2B Describe the steps planned regarding outreach to populations in the State that are unserved or underserved by programs under title VII, including minority groups and urban and rural populations. This section of the SPIL must:

- Identify the populations to be designated for targeted outreach efforts;

The SILC has determined that the entire Commonwealth of Massachusetts is underserved by centers for independent living. Although CILs are serving more persons with disabilities as noted above, it is just the tip of the IL service need. It appears all the CILs are still serving less than 1% of persons with disabilities across the state. All CILs at anytime have waiting lists for IL services. The demand is much greater than either the current funding can support as well as the need.

- Identify the geographic areas (i.e., communities) in which the targeted populations reside; and

The areas of the Commonwealth identified as most underserved are those to the northwest & southeast of metropolitan Boston. This area is currently served by the Boston Center for Independent Living, inc. Although BCIL does a wonderful job it is impossible for one center to serve such a large population base (over 6,000,000 people living in the geographic area) effectively. Many folks to the north or south of the city do not necessarily identify with Boston proper for many of their day to day services and would be better served by a center in their communities.

- Describe how the needs of individuals with significant disabilities from minority group backgrounds will be addressed.

By expanding the network of centers in the Commonwealth of Massachusetts from 11 to 12 centers, the unmet needs of the consumer base in the Metropolitan Boston area would be addressed. Having more community based CIL's would help to address the shortage of services available in this area while embracing the many cultural backgrounds of the region.

### 1.3 Financial Plan – 34 CFR 364.42(a)(2) and (3); 34 CFR 364.29

Describe in sections 1.3A and 1.3B, below, the financial plan for the use of Federal and non-Federal funds to meet the SPIL objectives.

#### 1.3A Financial Plan Tables

Complete the financial plan tables covering years 1, 2 and 3 of this SPIL. The first column in each of the tables lists the potential SPIL funding sources. The four other columns represent the potential uses of funds. For each funding source, provide estimated dollar amounts anticipated for the applicable uses. To the extent possible, the tables and narratives must reflect the applicable financial information from centers for independent living. Refer to the SPIL Instructions for additional information about completing the financial tables and narratives.

Insert additional rows for the specific funding sources and amounts expected within the categories of Other Federal Funds and Non-Federal Funds.

**Year 1**

<b>Sources</b>	<b>Approximate Funding Amounts and Uses</b>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
<b>Title VII Funds</b>				
Chapter 1, Part B	\$89,500	\$204,698	\$52,860	\$16,300
Chapter 1, Part C			\$1,317,616	
Chapter 2, Individuals Who are Older Blind		\$696,810		
<b>Other Federal Funds</b>				
Sec. 101(a)(18) of the Act (Innovation and Expansion)				
Other				
<b>Non-Federal Funds</b>				
State Funds		\$4,324,707		
Other				

**Year 2**

<b>Sources</b>	<b>Approximate Funding Amounts and Uses</b>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
<b>Title VII Funds</b>				
Chapter 1, Part B	\$89,500	\$204,698	\$52,800	\$16,300
Chapter 1, Part C			\$1,317,616	

Chapter 2, Individuals Who are Older Blind		\$698,810		
<b>Other Federal Funds</b>				
Sec. 101(a)(18) of the Act (Innovation and Expansion)				
Other				
<b>Non-Federal Funds</b>				
State Funds				
Other		\$4,324,707		

**Year 3**

<b>Sources</b>	<b>Approximate Funding Amounts and Uses</b>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
<b>Title VII Funds</b>				
Chapter 1, Part B	\$89,500	\$204,698	\$52,800	\$16,300
Chapter 1, Part C			\$1,317,616	
Chapter 2, Individuals Who are Older Blind		\$698,810		
<b>Other Federal Funds</b>				
Sec. 101(a)(18) of the Act (Innovation and Expansion)				
Other				
<b>Non-Federal Funds</b>				
State Funds				
Other		\$4,324,707		

1.3B Financial Plan Narratives

1.3B(1) Describe efforts to coordinate Federal and State funding for centers and IL services, including the amounts, sources and purposes of the funding to be coordinated.

Massachusetts current 11 independent living centers serve all counties of the commonwealth. Many areas though go underserved without an established CIL presences in the local area. Centers are currently funded using a combination of Federal Part B & C dollars and State Dollars. During the course of this SPIL the SILC & DSU will advocate for additional state dollars to bring all of the centers of the Commonwealth up to a base of \$625,000 each beginning in year two and \$340,000 for the establishment of a new center to addresses unmet needs of consumers statewide.

1.3B(2) Describe any in-kind resources including plant, equipment or services to be provided in support of the SILC resource plan, IL services, general CIL operations and/or other SPIL objectives.

Board Members of the SILC and all of the CILs in the Commonwealth donate a large portion of time to participate in the planning and implementation of the goals and activities of the SPIL.

1.3B(3) Provide any additional information about the financial plan, as appropriate.

  X   N/A

1.4 Compatibility with Title VII and the CIL Work plans – 34 CFR 364.42(c) and (e)

1.4A Describe how the SPIL objectives are consistent with and further the purpose of chapter 1 of title VII of the Act as stated in section 701 of the Act and 34 CFR 364.2.

This SPIL reflects the State's commitment to carry out an IL plan under Chapter 1 of Title VII of the Rehabilitation Act of 1973, as amended (Chapter 1), and also the State's planning and implementation activities related to the plan.

1.4B Describe how, in developing the SPIL objectives, the DSU and the SILC considered and incorporated, where appropriate, the priorities and objectives established by centers for independent living under section 725(c)(4) of the Act.

In developing objectives for the SPIL the centers of the Commonwealth were involved throughout the entire process. The SPIL committee met with the directors of the eleven centers prior to the beginning of public hearings on the SPIL to answer any question or concerns they had. During the Public Hearing and comment period virtually all of the centers in the commonwealth were included and given the opportunity to provide input into the development of the SPIL. Several of the persons included in the workgroup developing the SPIL itself were either directors or senior management staff of centers.

1.5 Cooperation, Coordination, and Working Relationships Among Various Entities – 34 CFR

## 364.26

Describe the steps that will be taken to maximize the cooperation, coordination and working relationships among:

- a) The SILS program, the SILC, and centers; and

In the State each of the CIL's has a seat on the SILC. Throughout the year the SILC and CIL's are in regular communication in regards to advocacy goals and funding objectives that are worked on jointly both at the state and federal levels. The SILC & CIL's regularly partner in the hosting of events & trainings statewide.

- b) The DSU, other State agencies represented on the SILC, other councils that address the needs of specific disability populations and issues, and other public and private entities determined to be appropriate by the SILC.

The description must identify the entities with which the DSU and the SILC will cooperate and coordinate.

The council includes exofficio seats for the DSU, Massachusetts Rehabilitation Commission, as well as the Massachusetts Commission for the Blind, Department of Mental Retardation, Massachusetts Office on Disability, Massachusetts Department of Mental Health, The Massachusetts Developmental Disabilities Council as well as the Massachusetts Department of Public Health.

Members of the Council also serve on the state rehab council for both the rehabilitation commission & commission for the blind. The SILC is regularly invited to participate in the works of the Massachusetts Office on Disability, the DD Council and with other disability related organizations in the state..

The state rehab council regularly co-sponsors events along with the SILC at the State House working together as equal partners on many projects.

Each year the SILC host the State annual ADA Day celebration working with the State Department of Conservation & Recreation, All eleven independent Living Centers, and various community organizations such as the American Association of People with Disabilities, Adaptive Environments, Disability Law Center, New England PVA, SEIU 1199 and others.

## 1.6 Coordination of Services – 34 CFR 364.27

Describe how IL services funded under chapter 1 of title VII of the Act will be coordinated with and complement other services to avoid unnecessary duplication with other Federal, State, and local programs, including the OIB program authorized by chapter 2 of title VII of the Act, that provide IL- or VR-related services.



In order to coordinate services and avoid unnecessary duplication, communication will be maintained between the SILC & Its DSU's. Both MRC & MCB will continue to provide a staff member to attend quarterly SILC meetings, serve on SILC committees, and participate in ILC reviews.

### 1.7 Independent Living Services for Individuals who are Older Blind – 34 CFR 364.28

Describe how the DSU seeks to incorporate into and describe in the State plan any new methods or approaches for the provision of IL services to older individuals who are blind that are developed under the Older Individuals who are Blind program and that the DSU determines to be effective.

MCB proposes to continue the operation of the BRIDGE Program with a particular emphasis on the following program components:

- Core IL Services delivered by BRIDGE Program staff including case management, advocacy, rehabilitation teaching, information and referral, and referral for mobility training;
- Purchased services that assist blind elders in the management of their visual and non-visual disabilities including: hearing aids, assistive listening devices, low vision, devices, adaptive equipment and supplies, diabetes self-management training, and residential IL skills training;
- Management and expansion of Peer Support Services that currently provide financial support to the Peer Empowerment Program. This innovative partnership between MCB, and MAB Community Services supports more than 40 peer support groups for blind elders. Chapter 2 funds are used specifically to fund the annual Senior Connection, a one-day conference for over 300 elder blind support group members. Chapter 2 funds also support peer support activities on Cape Cod through a partnership with Sight Loss Services.
- Community education and outreach services have resulted in more than 700 community education presentations since the inception of the BRIDGE Program. These presentations are designed to publicize services available through MCB and BRIDGE, as well as address concerns relative to aging and blindness. Expansion of these efforts will include increased outreach to un-served and underserved communities as well as outreach to optometrists and ophthalmologists regarding appropriate referral and the availability of benefits and services.
- Expansion of community capacity activities will continue to strengthen links between MCB and public/private organizations like the Executive Office of Elder Affairs, the Veteran's Administration, Perkins, Greater Boston Guild for the Blind, Carroll Center for the Blind, as well as the Independent Living network.

## **Section 2: Scope, Extent and Arrangements of Services**

### 2.1 Scope and Extent – 34 CFR 364.42(b)(2)(3); 34 CFR 364.43(b); 34 CFR 364.59(b)

2.1A Check the appropriate boxes in the SPIL Instrument table indicating the types of IL services to be provided to meet the objectives identified in section 1.2 of this SPIL, and whether the services will be provided by the CILs or by the DSU (directly and/or through contract or grant).

<b>Table 2.1A(1): Independent living services</b>	<b>Provided by the DSU (directly)</b>	<b>Provided by the DSU (through contract and/or grant)</b>	<b>Provided by the CILs (Not through DSU contracts/ grants)</b>
Core Independent Living Services, as follows:		X	
- Information and referral	X (MCB)	X	
- IL skills training	X (MCB)	X	
- Peer counseling	X (MCB)	X	
- Individual and systems advocacy	X (MCB)	X	
Counseling services, including psychological, psychotherapeutic, and related services			
Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities)		X (MRC & MCB Part B Only)	
Rehabilitation technology	X (MCB)	X	
Mobility training	X (MCB)		
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services	X (MCB)	X (MRC)	
Personal assistance services, including attendant care and the training of personnel providing such services			
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services		X	
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act			
Education and training necessary for living in the community and participating in community activities		X	
Supported living			

<b>Table 2.1A(1): Independent living services</b>	<b>Provided by the DSU (directly)</b>	<b>Provided by the DSU (through contract and/or grant)</b>	<b>Provided by the CILs (Not through DSU contracts/ grants)</b>
Transportation, including referral and assistance for such transportation			
Physical rehabilitation			
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices		X (MCB Part B)	X (MRC Part B)
Individual and group social and recreational services			
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options			
Services for children with significant disabilities			
Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with significant disabilities		X (MCB Part B Only)	
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future			
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities		X (MCB)	
Other necessary services not inconsistent with the Act		X Vehicle Modification Ancillary Transition Funds	

2.1B Describe any service provision priorities, including types of services or populations, established for meeting the SPIL objectives identified in section 1.2.

Massachusetts Commission for the Blind – Part B Program

The priority for MCB Part B is service provision that will enable people to remain in their homes, enhancing capacity for independent living and community integration.

Massachusetts Commission for the Blind – BRIDGE Elder Blind Program (OIB)

MCB will continue to manage a comprehensive service program that includes direct service, purchase of service capacity and an innovative sub-grant program that supports the

operation of peer support groups. The priority is the provision of services that enhance the capacity for independent living among blind elders.

The priority of the public education component of the BRIDGE Program is the provision of information that will enhance capacity for independent living to consumers and service providers, with particular emphasis on outreach to under-represented populations.

The following limits in funding were agreed to by the SILC, Centers & DSU's for Title VII Part B Funds:

\$8,200 would be the limit for vehicle modifications.

\$2,500 will be limit on Assistive Technology.

\$2,000 will be the limit for home modification. People eligible for the Home Modification Loan Program would be ineligible for Part B.

\$500 will be the limit for ancillary services such as transitioning or diversion services.

It was agreed that a redistribution of not expended or un-incumbered funds will occur on March 1, of each year.

Due to the success of the PILOT program of CILs administering the day-to-day operation of the Part B Program without DSU intervention, under the current SPIL all CILs will be encouraged and supported by the DSU to follow suit. MRC will continue to monitor the program, collect quarterly quantitative data and conducted on-site program reviews. The original intention of the pilot program was to expand availability to other CILs yet did not fully expand under the previous SPIL period and will occur under this SPIL period.

In the previous SPIL, SILC supported that MRC make 3 options available to all 11 CILs for use of Part B funds. Due to the success of the program the options will be carried forward in the 2008-2010 SPIL. They Are:

*Option #1* was to continue the provision of individual independent living services but with a new menu of service options which are defined above.

Massachusetts had a \$10 million bond fund to use in providing low and no interest deferred and amortizing loans. Since these funds were available statewide for loans from \$1,000 to \$25,000 when there was no alternate source of funding for most home modifications. Part B funds would be utilized only for jobs under \$1,000 for rented and owned homes not covered under HBR. This Bond funding was used extensively and is currently seeking additional funds from the MA Legislature.

Although MRC, MCB and MCDHH have state funds for assistive technology it is not sufficient to meet all the needs of the large number of people requiring these services. Long waiting lists

for these services exist in each agency. Massachusetts has received an **AT Loan program** Under this new SPIL, consumers can apply for Part B funds while awaiting approval on any of these other funding sources for assistive technology and hopefully use the **AT Loan program** as well.. This would mean that if state funds for assistive technology are made available first, then the consumer must take that source of funding, and Part B cannot be used. The reverse would also be true and this would safeguard double service provision.

*Option #2* includes innovative projects to enhance Independent Living options for individuals with significant disabilities within the community. Project activities must address improved access to community services. The CIL will be required to submit a proposal to MRC.

The proposal will include:

- goals of the project
- measurable outcomes
- how Part B, and other, funds will be utilized
- evaluation measures
- time limit of up to three years, or end of this SPIL, whichever comes first.

Each proposal must describe community system change need(s) being addressed, consumer and Board input of the project design, and strategies for achieving project outcome.

Some examples of innovative eligible projects under this option include: developing, printing and distributing a resource guide of a particular topic in your service area; community development to obtain support from local municipalities and other entities for funding of CIL activities; or development of a disability awareness curriculum for use in a particular setting.

MRC with a select group of consumers recommended by the SILC will review all proposals. Proposals will be solicited prior to the start of each fiscal year.

*Option 3:*

A CIL can, under this SPIL, effective October 1, 2004, can choose to use their Part B allocation with a combination of Option 1 and Option 2, above.

2.1C If the State allows service providers to charge consumers for the cost of services or to consider the ability of individual consumers to pay for the cost of IL services, specify the types of IL services for which costs may be charged and for which a financial need test may be applied, and describe how the State will ensure that:

- (i) Any consideration of financial need is applied uniformly so that all individuals who are eligible for IL services are treated equally; and
- (ii) Written policies and consumer documentation required by 34 CFR 364.59(d) will be kept by the service provider.

Indicate N/A if not applicable.

N/A

## 2.2 Arrangements for State-Provided Services – 34 CFR 364.43(d) and (e)

2.2A If the DSU will provide any of these IL services through grants or contractual arrangements with third parties, describe such arrangements.

### Massachusetts Commission for the Blind – BRIDGE Elder Blind Program (OIB)

The MCB BRIDGE Program contracts the management of the vision loss peer support group program to two non-profit agencies, chosen through a competitive bidding process. Currently MAB Community Services supports thirty-four support groups and hosts the Senior Connection event in June which brings up to 300 members of these groups together. Sight Loss Services of Cape Cod and the Islands supports eleven peer support groups on the Cape.

The BRIDGE Program contracts with a public education consultant for approximately 1,000 hours/year to do outreach and in-service training. The contractor is selected through a competitive bidding process.

2.2B If the State contracts with or awards a grant to a center for the general operation of the center, describe how the State will ensure that the determination of an individual's eligibility for services from that center shall be delegated to the center.

## **Section 3: Design for the Statewide Network of Centers**

### 3.1 Existing Network – 34 CFR 364.25

3.1A Provide an overview of the existing network of centers, including non-Part C-funded centers that comply with the standards and assurances in section 725 (b) and (c) of the Act, and the geographic areas and populations currently served by the centers.

Massachusetts has a network of eleven centers for independent living that meet the Section 725 standards. Each CIL has a defined service area, although many CILs provide services to individuals outside their service areas. The service areas are defined by lists of cities or towns, and do not fully coincide with county lines or service areas of other agencies.

The Massachusetts CILs provide services to every city and town in the Commonwealth at eighteen sites:

**Ad Lib** (Pittsfield and North Adams) serves 32 mostly rural cities and towns in Berkshire County, the westernmost county in Massachusetts;

**Boston Center for Independent Living** (Boston) serves communities in Boston and 33 suburbs to the south, north, and west;

**Cape Organization for Rights of the Disabled** (Hyannis) serves the 23 towns on Cape Cod, and the islands of Martha's Vineyard and Nantucket;

**Center for Living and Working** (Worcester, Fitchburg and Milford) serves 64 cities and towns in Central Massachusetts;

**Independence Associates** (Brockton) serves 35 cities and towns in Southeastern Massachusetts;

**Independent Living Center of the North Shore and Cape Ann** (Salem and Gloucester) serves 25 cities and towns along the coast just North of Boston and as far north as the tip of Cape Ann in the northern coastal region of Massachusetts;

**MetroWest Center for Independent Living** (Framingham) serves 24 towns in suburban and rural communities located between Boston and Worcester;

**Northeast Independent Living Program** (Lawrence) serves 28 cities and towns located in the northeast corner of Massachusetts;

**Southeast Center for Independent Living** (Fall River) serves 26 cities and towns in the southeast coastal area of Massachusetts;

**Stavros** (Amherst, Greenfield, Northampton and Springfield) serves consumers who live in 67 cities and rural towns of Western Massachusetts.

**Multicultural ILC Boston** (Dorchester) serves seven communities in inner city Boston.

Through this network, the CILs provided direct services from all sources of funding to 15,697 individuals with severe Disabilities in FY2006. This was an increase from FY2003, as noted in our last state plan, of 1,148 individuals who received services by the MA Network of CILs.

### 3.2 Expansion of Network – 34 CFR 364.25

3.2A Describe the design for the further expansion of the network, including identification of the unserved and underserved areas in the State and the order of priority for serving these areas as additional funding becomes available (beyond the required cost-of-living increase).

The SILC has determined that the entire Commonwealth of Massachusetts is underserved by centers for independent living. Although CILs are serving more persons with disabilities as noted above, it is just the tip of the IL service need. It appears all the CILs are still serving less than 1% of persons with disabilities across the state. All CILs at anytime have waiting lists for IL services. The demand is much greater than either the current funding can support as well as the need.

During year one (FY08, State) of the SPIL The SILC & Centers along with the DSU will

advocate for additional funding from the state to bring all of the centers to a base of \$450,000.

During year one the SILC & CIL's & DSU's will be advocating for an additional center to the northwest of the current Boston Center for Independent Living to serve consumers in that area that do not always identify with Boston proper. The center will be funded at \$325,000 to \$340,000.

During year two (FY10, State) the SILC, CILS, & DSU's will also advocate for a raise in the center base funding to \$625,000 for the existing centers in the network.

### 3.3 Section 723 States Only – 34 CFR 364.39

3.3A If the State follows an order of priorities for allocating funds among centers within a State that is different from what is outlined in 34 CFR 366.22, describe the alternate order of priority that the DSU director and the SILC chair have agreed upon. Indicate N/A if not applicable.

The Designated State Unit (DSU), the Massachusetts Rehabilitation Commission (MRC), will continue to receive and administer federal funds under Section 723 of the Rehabilitation Act as amended, according to current practice, including:

A. Compliance with funding priorities set forth below and the allocation formula approved by the SILC during Year two of this plan.

B. State IL contracts for existing centers for independent living (CILs) will continue to be linked to existing federal grants pursuant to the provisions of regulations of the Commonwealth of Massachusetts Division of Purchased Services.

State Applies to Administer Part C Program (Sections 704(h) and 723 of the Act; 34 CFR 366.32)

The director of the DSU hereby applies to award grants or assistance contracts to eligible agencies in the State that comply with the standards and assurances set forth in section 725 of the Act. The grants are to be made from the funds allotted to the State for the planning, conduct, administration, and evaluation of CILs under part C, Chapter 1.

The state administers funds in compliance with §723 (Sec. 704(h) of the Act; 34 CFR 366.32, .35)

The director of the DSU awards grants or assistance contracts under section 723 of the Act to any eligible agency that was awarded a grant under part C, Chapter 1 on September 30, 1993, unless the director makes a finding that the agency involved fails to comply with the standards and assurances set forth in section 725 of the Act or the director of the DSU and the chairperson of the SILC, or other individual designated by the SILC to act on behalf of and at the direction of the SILC, jointly agree to another order of priorities.



The State assures that any assistance contracts issued to eligible agencies will not add any requirements, terms, or conditions to the assistance contract other than those that would be permitted if the assistance contract were a sub-grant consistent with grants issued by RSA under section 722 of the Act.

In administering the part C, Chapter 1 program, the State will not enter into any procurement contracts with CILs to carry out section 723 of the Act.

Monitoring and Oversight. (§§704(h), 723(g) and (h) of the Act; 34 CFR 366.38)

The State assures that periodic and on-site compliance reviews will be conducted to determine CIL compliance with section 725 of the Act as described in Attachment 3.

C. State and federal site reviews for compliance with standards and assurances will continue to be conducted by the MRC, in cooperation with the Statewide Independent Living Council (SILC), using the time lines established for federal compliance reviews.

D. The DSUs (MRC and the Massachusetts Commission for the Blind) will join the SILC in advocacy to increase the funding of CILs from federal and state resources each year of this plan.

## I. FUNDING PRIORITIES

As permitted by law, the Commissioners of the DSUs and the Chair of the SILC jointly agree to deviate from the order of priorities established for allocating funds among CILs in 723 states. Under the prior SPIL there were the following established set of priorities: support existing CILs that comply with the standards and assurances in section 725 of the Act at the same level of funding for the previous year first; provide for a cost of living increase for such existing CILs second; and, fund new CILs that comply with the standards and assurances in section 725 of the Act third.

As a 723 state the MA SILC and the DSUs agree in this SPIL to the following set of priorities, which will target expansion of funding for the existing CILs, and establishment of branches, satellites and/or new CILs dependent upon federal and state funding increases. In allocating new federal Part C and state independent living funds among the CILs, the Commonwealth will be guided by the following priorities:

MRC will support existing CILs and development of branches, satellites and/or new CILs that comply with Section 725 standards and assurances. New money will be distributed among the existing CILs using the following four-step process:

As a 723 state MRC Administrative cost will be taken from any new State Funds at a % negotiated with the SPIL Committee and approved by SILC Executive Committee annually.

## Year One

1. Cost of Living Adjustment will be the first usage starting October 1, 2007 from any new increases of federal or state funds. These increased funds will be used to provide each CIL with a cost of living adjustment (COLA), to be determined by following process:

- The percent COLA will be assessed at the level of the increase of the consumer price index (CPI) for the previous year ending on September 30. The CPI for the previous year is available at the Department of Labor web site.
- The CPI will be applied to the total amount of combined state and federal CIL funds for each CIL in the state for the previous federal fiscal year ending September 30.
- If the amount of new money is not enough to cover the COLA as defined above, it will then be divided equally among the CILs.

Regardless of how many funding increases occur, the cost of living increases will be applied only once in a given year.

2. Base Funding will be the second priority for use of increased funding. The minimum base funding level for existing CILs will be \$450,000 combined state and federal funding. Any new funds remaining after priority 1 during this SPIL will be equally distributed among the CILs that are funded below the base funding level. If this division of funds brings any CIL over this new base funding level, the amount over the base funding level will be then equally re-distributed among the remaining CILs that are funded below the base funding level until all CILs are at the minimum funding level.

3. During year one the SILC Centers & DSU's will advocate with the state legislature for an additional \$325,000 to \$340,000 in funding for the establishment of a new CIL/Satellite to be spun off as a free standing center meeting standards and indicators within three years to the Northwest of the current Boston Center for Independent Living. If additional state monies are received but they are not adequate enough to fund a new center/satellite the monies will be distributed evenly among the existing centers in the network.

4. Any additional funds received will be distributed evenly among the centers in the network.

## Year Two

If funding goals 2 & 3 have been accomplished from year one the following will be implemented. If year one goals are not completed they will carry forward to year two and year two goals will be implemented upon their completion.

1. Cost of Living Adjustment will be the first usage starting October 1, 2008 from any new increases of federal or state funds. These increased funds will be used to provide each CIL with a cost of living adjustment (COLA), to be determined by following process:

- The percent COLA will be assessed at the level of the increase of the consumer price index (CPI) for the previous year ending on September 30. The CPI for the previous year is available at the Department of Labor web site.
- The CPI will be applied to the total amount of combined state and federal CIL funds for each CIL in the state for the previous federal fiscal year ending September 30.
- If the amount of new money is not enough to cover the COLA as defined above, it will then be divided equally among the CILs.

Regardless of how many funding increases occur, the cost of living increases will be applied only once in a given year.

2. Base funding for all centers in the existing network will be raised to \$625,000. The SILC, Centers, and DSU's will advocate with the state legislature for the additional funds needed to accomplish this goal.

3. Any additional funds received will be distributed evenly among the centers in the network.

### Year Three

If funding goals 2 & 3 from year one and funding goal 2 from year two have been accomplished the following will be implemented. . If year one and two goals are not completed they will carry forward to year three and year three goals will be implemented upon their completion.

1. Cost of Living Adjustment will be the first usage starting October 1, 2009 from any new increases of federal or state funds. These increased funds will used to provide each CIL with a cost of living adjustment (COLA), to be determined by following process:

- The percent COLA will be assessed at the level of the increase of the consumer price index (CPI) for the previous year ending on September 30. The CPI for the previous year is available at the Department of Labor web site.
- The CPI will be applied to the total amount of combined state and federal CIL funds for each CIL in the state for the previous federal fiscal year ending September 30.
- If the amount of new money is not enough to cover the COLA as defined above, it will then be divided equally among the CILs.

Regardless of how many funding increases occur, the cost of living increases will be applied only once in a given year.

2. Any additional funds received will be distributed evenly among the centers in the network.

3.3B Describe how the State policies, practices and procedures governing the awarding of grants to centers and the oversight of these centers are consistent with 34 CFR 366.37 and 366.38.

## II. CONTINUATION FUNDING FOR EXISTING CILS (POLICIES AND PROCEDURES)

To be approved for continued funding under the priorities, existing CILs must submit to the DSU documentation of compliance with standards defined in Section 725 of the Act.

### **Section 4: DSU**

#### 4.1 Administrative Support Services – 34 CFR 364.4; 34 CFR 364.22(b)

4.1A Describe the administrative support services to be provided by the DSU for the SILS (Part B) program and, if the State is a Section 723 State, for the CIL (Part C) program.

#### Massachusetts Commission for the Blind – Part B Program

MCB will continue to provide a staff member to attend quarterly SILC meetings, serve on SILC committees, and participate in ILC reviews.

MCB puts the Part B funds for purchased services in a line item called “flexible family support.” MCB works with a non-profit vendor. When a consumer needs a service, the third party non-profit can issue a check to a vendor or consumer. This non-profit vendor charges 5% for this service.

This arrangement allows maximum flexibility in the use of the funds. It enables the Commission to make a partial payment in order to spread the funds to benefit more consumers. For example, if a consumer wants a \$12,000 van modification, MCB may agree to pay \$2,000. MCB collects the specifications and writes an ILP. A check for \$2,100 is issued to the non-profit vendor, who can write a check to the vendor of his or her own choice.

Refer to the SPIL Instructions for additional information about administrative support services.

4.1B Describe other DSU arrangements for the administration of the IL program, if any.

  X   N/A

## **Section 5: SILC**

### **5.1 Resource plan – 34 CFR 364.21(i)**

5.1A Describe the resource plan prepared by the SILC in conjunction with the DSU for the provision of resources, including staff and personnel, made available under parts B and C of chapter 1 of title VII, section 101(a)(18) of the Act, and from other public and private sources that may be necessary to carry out the functions of the SILC identified in section 705(c). The description must address the three years of this SPIL.

The SILC Resource Plan allocates Federal Part B funds for the operation of the SILC. The major areas where funding is allocated includes staff salary and benefits; SILC Board Member and CIL Director travel and teleconference expenses for board and committee meetings; training for staff and board; travel for staff to national IL conferences; office expenses including rent, supplies, phones, long distance and toll-free line.

5.1B Describe how the following SILC resource plan requirements will be addressed:

- The SILC's responsibility for the proper expenditure of funds and use of resources that it receives under the resource plan.

The SILC has established financial policies & procedures which are followed for all business of the SILC. In conjunction with the policies, MetroWest Center for Independent living, Inc. in Framingham MA acts as its fiscal intermediary processing transactions on behalf of the SILC according to the SILC's policies.

- Non-inclusion of conditions or requirements in the SILC resource plan that may compromise the independence of the SILC.

The SILC operates as an independent entity under the MetroWest Center for Independent Living, Inc. where it is housed. The SILC maintains regular communication with the DSU and the governor's office but the board of the SILC is responsible for the decisions and actions of the SILC.

- Reliance, to the maximum extent possible, on the use of resources in existence during the period of implementation of the State plan.

The majority of the funds for the SILC are from the federal Part program. Additional funding comes from the commonwealth of Massachusetts through the Rehabilitation Commission. A minority of the SILC budget comes in the form of donations which are usually given in support of special events such as the State Independent Living Conference, SILC Education Day at the State House or the annual ADA Day celebration.

### **5.2 Establishment and Placement – 34 CFR 364.21(a)**

5.2A Describe how the establishment and placement of the SILC ensures its independence with respect to the DSU and all other State agencies.

The Massachusetts SILC was established under Executive Order 373 by his honor Governor William Weld on September 26, 1994. It is housed independently as a program of the MetroWest Center for Independent Living, Inc. in Framingham MA., which acts as its fiscal intermediary. The SILC develops and implements its own budget separate from MWCIL and the state agencies. MWCIL simply acts as the SILC's agent. The SILC Program is governed by its own set of bylaws and policies & procedures.

Refer to the SPIL Instructions for more information about completing this section.

### 5.3 Appointment and Composition – 34 CFR 364.21(b) – (f)

5.3A Describe the process used by the State to appoint members to the SILC who meet the composition requirements in section 705(b).

The SILC maintains an active Nominations & Development Committee. This committee meets monthly via teleconference or face-to-face. The committee reviews nominations in process, new nominations and continued development of the SILC. It conducts annual outreach for new members.

The nominations process is as follows;

Nominations of qualified individuals are received by the SILC and forwarded to the Nominations & Development committee.

The nominations and development committee looks to see from the application or through personal knowledge if the applicant meets the qualifications of a SILC member established under the SILC's bylaws.

If the applicant is qualified an interview with the Nominations & Development Committee is set up, if necessary.

The committee then votes on the individual to forward the individuals name to the SILC Executive committee for approval.

During the next regularly scheduled meeting if the SILC Executive Committee the name is brought forward by the Nomination & Development Committee Chairperson during His/Her report for consideration of the committee.

Once approval of the nominee is received form the Executive Committee the SILC Coordinator forward the new nominees name and contact information to the Governors Office on Appointments.

The Governors office on Appointments then issues a complete background check which any

individual applying for consideration for gubernatorial appointment in the Commonwealth must fill out.

The Governors office then appoints the individual to fulfill either the remainder of a term that has been vacated or a new three year term.

Once the individual is appointed by the Governors office they have 60 days to be sworn in and to take their oath of appointment. A copy of the oath is then sent to the governor's office and maintained on the nominees file in the SILC office.

#### 5.4 Staffing – 34 CFR 364.21(j)

5.4A Describe how the following SILC staffing requirements will be met:

- SILC supervision and evaluation, consistent with State law, of its staff and other personnel as may be necessary to carry out its functions.

The SILC hires an independent consultant to act as its Coordinator. The Coordinator is a contracted position with the SILC's fiscal intermediary the MetroWest Center for Independent Living. The Coordinators contract is reviewed annually by the SILC Chairperson & its fiscal intermediary to be sure that the coordinator is fulfilling the tasks outlined on the independent consultant's contract.

- Non-assignment of duties to SILC staff and other personnel made available by the DSU, or any other State agency or office that would create a conflict of interest while assisting the SILC in carrying out its duties.

The SILC Coordinator is directed by the SILC Chairperson. All assignments and tasks come to the coordinator directly from the chairperson who works with the Executive committee and the other active committees of the SILC. Although the SILC is housed at the MetroWest Center for Independent Living, Inc. it is governed by its own set of bylaws and policies and procedures separate from the centers which simply act as the SILC fiscal agent & provides office space for the SILC to perform its day to day operations.

## **Section 6: Service Provider Requirements**

Describe how the following service provider requirements will be met:

### 6.1 Staffing – 34 CFR 364.23; 34 CFR 364.24; 34 CFR 364.31

- Inclusion of personnel who are specialists in the development and provision of IL services and in the development and support of centers.
- Availability, to the maximum extent feasible, of personnel able to communicate (1) with individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille, or audio tapes and (2) in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act.
- Establishment and maintenance of a program of staff development for all classes of positions involved in providing IL services and, where appropriate, in administering the CIL program, improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy.
- Affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act.

Relevant MRC & MCB staff are specialists in the development and provision of IL services. Staff includes individuals who are able to communicate with individuals with significant disabilities in alternate means of communication and in several languages, including Chinese and Spanish. Both DSU's maintain a program of on-site staff development, as well as sponsorship of off-site development opportunities.

The DSU's both maintain a staff which includes individuals fluent in Braille and manual communication, as well as staff fluent in foreign languages representative of the major foreign-language groups in areas served by the Commonwealth.

The Commissions both employ affirmative action to employ and advance in employment qualified individuals with significant disabilities.

### 6.2 Fiscal Control and Fund Accounting – 34 CFR 364.34

- Adoption of those fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for funds made available through parts B and C of chapter 1 of title VII of the Act, in addition to complying with applicable EDGAR fiscal and accounting requirements.

All MRC & MCB Part B and BRIDGE program activities are delivered in accordance with relevant sections of the Rehabilitation Act and EDGAR, including program services, program



funding, state match, and state plan requirements. All MCB fiscal transactions are conducted in accordance with appropriate federal and state fiscal regulations.

### 6.3 Record-Keeping, Access and Reporting – 34 CFR 364.35; 34 CFR 364.36; 34 CFR 364.37

- Maintenance of records that fully disclose and document the information listed in 34 CFR 364.35.
- Submission of annual performance and financial reports, and any other reports that the Secretary determines to be appropriate
- Access to the Commissioner and the Comptroller General, or any of their duly authorized representatives, for the purpose of conducting audits, examinations, and compliance reviews, to the information listed in 34 CFR 364.37.

### 6.4 Eligibility – 34 CFR 364.40; 34 CFR 364.41

- Eligibility of any individual with a significant disability, as defined in 34 CFR 364.4(b), for IL services under the SILS and CIL programs.

Individuals with significant disabilities are eligible for services provided under the SPIL.

- Ability of any individual to seek information about IL services under these programs and to request referral to other services and programs for individuals with significant disabilities.

All eleven independent Living centers in the Commonwealth provide Information & Referral service to any person who contacts them as a core service. Persons contacting the SILC for information are directed to the Independent Living center which serves the community in which they reside.

- Determination of an individual's eligibility for IL services under the SILS and CIL programs in a manner that meets the requirements of 34 CFR 364.51.

To be eligible, an individual is one:

- (1) Who has a significant physical, mental, cognitive, or sensory impairment;
- (2) Whose ability to function independently in the family or community or whose ability to obtain, maintain, or advance in employment is substantially limited; and
- (3) For whom the delivery of IL services will improve the ability to function, continue functioning, or move towards functioning independently in the family or community or to continue in employment.

A certificate of eligibility is completed for each MCB consumer using medical

documentation and discussion with consumer as verification. In order to be eligible the consumer must be legally blind and in BRIDGE, legally blind and over 55. The Title VII Part B program serves consumers of all ages. Aside from the mandated age requirement for the BRIDGE Program, The Massachusetts Commission for the Blind does not discriminate without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability of the individual applying for IL services.

- Application of eligibility requirements without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability of the individual applying for IL services.

#### Nondiscrimination (34 CFR 76.500)

No individual will, on the basis of race, color, national origin, gender, age, or disability be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under this SPIL.

- Non-exclusion from receiving IL services of any individual who is present in the State and who is otherwise eligible for IL services, based on the imposition of any State or local residence requirement.

No individual will be excluded from receiving services based on the imposition of state or local residence requirements.

#### 6.5 Independent Living Plans – 34 CFR 364.43(c)

- Provision of IL services in accordance with an IL plan complying with Sec. 364.52 and mutually agreed upon by the individuals with significant disabilities and the appropriate service provider staff unless the individual signs a waiver stating that an IL plan is unnecessary.

#### IL Plans (Sec. 704(e) and 725(c)(14) of the Act; 34 CFR 364.52)

The State provides IL services under Chapter 1 to individuals with significant disabilities in accordance with an ILP mutually agreed upon by an appropriate staff member of the service provider and the individual, unless the individual signs a waiver stating that such a plan is unnecessary.

#### 6.6 Client Assistance Program (CAP) Information – 34 CFR 364.30

- Use of accessible formats to notify individuals seeking or receiving IL services under chapter 1 of title VII about the availability of the CAP program, the purposes of the services provided under the CAP, and how to contact the CAP.

Notice about the Client Assistance Program (Sections 20 and 704(m)(1) of the Act; 34 CFR 364.30)

All recipients of financial assistance under Chapter 1 that provide services to individuals with significant disabilities advise those individuals seeking or receiving IL services about the availability of the Client Assistance Program under section 112 of the Act, the purposes of the services provided under such program, and information on the means of seeking assistance under such program.

#### 6.7 Protection, Use and Release of Personal Information – 34 CFR 364.56(a)

- Adoption and implementation of policies and procedures meeting the requirements of 34 CFR 364.56(a), to safeguard the confidentiality of all personal information, including photographs and lists of names.

The DSUs and CILs maintain written policies to assure and safeguard the confidentiality of all personal information, and release of information forms are used to comply with 34 CFR 364.56(a), and HIPPA.

Each of Massachusetts's CILs will be responsible for following its identified method of assuring consumer information is kept confidential and that its policy for acquiring signed releases of information prior to sharing information about individual consumers with other service providers or entities is strictly adhered to.

### **Section 7: Evaluation**

7.1A Describe the method that will be used to periodically evaluate the effectiveness of the plan in meeting the objectives established in Section 1. The description must include the State's evaluation of satisfaction by individuals with significant disabilities who have participated in the program. *34 CFR 364.38*

I. The Statewide Independent Living Council will monitor and review the effectiveness of the SPIL.

The SILC Chairperson appoints a State Plan Committee for the purpose of meeting at least twice a year to assess compliance with the SPIL. This Committee will include consumer members of the SILC and other interested parties. The State Plan Committee will prepare an annual written report for submission to the SILC at its final meeting of each fiscal year.

The DSUs, in conjunction with the SILC SPIL Committee, has established a uniform questionnaire for evaluation of consumer satisfaction. The centers administered the consumer satisfaction survey in 2005, 2006, and 2007 with consumers served during the prior service year. These survey results were submitted by each CIL to the SILC and MRC.

The Evaluation Committee responsibilities were merged with those of the State Plan Committee during the prior plan and members of the State Plan Committee are tasked with Evaluation. As a result, the State Plan Committee will review the entire consumer satisfaction process and make any recommendations to the entire SILC body and the DSUs. The results of the Consumer Satisfaction Survey, FY'2007 through '09, will also be reviewed by the SPIL committee, and a report will be given by them to the SILC and MRC annually. These results will also be sent to the RSA as part of the annual performance report (704 Report, Part I) submitted by the SILC and DSU.

II. The SILC will assess activities of cooperating agencies.

In monitoring and reviewing the effectiveness of the SPIL, the State Plan Committee will assess progress and achievement of activities by the SILC, the DSUs, the CILS, and other groups, which have responsibilities, defined in the SPIL. This review will be conducted by the SILC State Plan Committee and issued in a written report. The written report will include:

- (1) Review of activities of the SILC, DSUs, CILS, and other groups in implementing the SPIL;
- (2) Identification of barriers to implementation; and
- (3) Consideration of whether amendment to the State Plan is necessary or required.

Upon submission at the Annual Meeting of the SILC in the fall, this report will be a basis for determining changes in the existing State Plan and which then would be submitted to the RSA Region I Office as part of the annual performance report (704 Report, Part I) submitted by the SILC and DSU.

The State Plan Committee is tasked overall with providing the critical information to the SILC on State Plan effectiveness, 704 data analysis on Statewide Independent Living services needs and trends. The Committee reviews the report as approved by the SILC, reviews the Consumer Satisfaction Survey results and identifies/develops changes in the Consumer Satisfaction Survey Process in conjunction with the DSUs, identifies trends and patterns in Consumer service needs from Consumer Satisfaction Survey Data and review of 704 Reports Part I and II, and supports

SILC recruitment for participation with MRC coordinated on-site reviews as described in Attachment 4. The State Plan committee will review all final on-site review reports.

C. As a '723 State, Massachusetts will periodically review each center receiving funds under section 723 of the Act to determine whether the center is in compliance with the standards and assurances in section 725(b) and (c) of the Act and Subparts F and G of this part. Periodic reviews of centers will include annual on-site compliance reviews of at least 15 percent of the centers in each year. An observer from the SILC will participate in each CIL review to insure that the review process occurs appropriately.

III. The DSU will conduct oversight activities of IL contractors other than centers (for example, the contract for provision of SILC space and fiscal management)

### **Section 8: State-Imposed Requirements**

8.1A Identify any State-imposed requirements contained in the provisions of this SPIL.

  X   N/A

Indicate N/A if not applicable.