

PENNSYLVANIA CLIENT ASSISTANCE PROGRAM

1515 Market Street, Suite 1300
Philadelphia, PA 19102
(215) 557-7112
Fax: (215) 557-7602
Toll Free: (888) 745-2357

To: Pennsylvania Department of Labor and Industry
State Board of Vocational Rehabilitation
Office of Vocational Rehabilitation (OVR)

From: Stephen S. Pennington, Esquire
Executive Director, Client Assistance Program

Date: May 20, 2019

BBVS Workgroup:

This memorandum was prepared by a workgroup of disability advocates, directors of statewide organizations for the blind in Pennsylvania, and vocational rehabilitation (VR) professionals, including the Pennsylvania Client Assistance Program, former Governor Tom Ridge, National Federation of the Blind of Pennsylvania, Pennsylvania Council of the Blind, Pennsylvania Association for the Blind, Pennsylvania Elected Committee of Blind Licensees, members of the OVR Advisory Committee for the Blind, members of the State Board of Vocational Rehabilitation, and Dr. Fredric Schroeder, former RSA Commissioner, Executive Director of the National Rehabilitation Association and President of the World Blind Union.

Background:

The Office of Vocational Rehabilitation projects a significant budget shortfall in FY'19 and has undertaken a review of programs and services to identify areas to achieve cost savings. As a result of the projected budget shortfall, there were preliminary discussions between OVR management and field staff regarding the consolidation of services for blind and visually impaired persons provided by the Bureau of Blindness and Visual Services (BBVS) with the general VR program in the Bureau of Vocational Rehabilitation Services (BVRS). Even

though Labor and Industry officials and OVR management have recently assured the disability community that consolidation is no longer being considered, the impact of such a move on the blind and visually impaired community remains a critical and important issue.

The following question was investigated:

Do blind and visually impaired persons have unique vocational rehabilitation needs that are best served by separate and specialized services?

Analysis:

The analysis of the issue included a review of federal and state law, the 56 public VR programs across the country, academic studies from Mississippi State University, and expert opinion on VR services to the blind and visually impaired community.

The Rehabilitation Act of 1973, *29 U.S.C. 701 et seq.*, permits State VR programs to have a separate program for blindness services. Of the 56 VR programs across the country and territories, 23 have separate agencies for the blind. Of the 33 combined agencies, including Pennsylvania, only a few States have consolidated blindness services into the general VR program.

In West Virginia, blindness counselors are managed by general VR counselors. Anecdotal evidence from West Virginia suggests that the lack of training and experience of those within the general VR program to work with customers who are blind and visually impaired has negatively impacted services to this population.

In contrast, the overwhelming consensus among VR professionals in separate and combined programs is that counselors for the blind must be managed by individuals thoroughly knowledgeable and up to date on the issues unique to the provision of services to people who are blind and visually impaired. Charles Crawford, former Director of the Blind Agency in Massachusetts has stated that "the substantially unique and different service needs of the blindness population are not conducive to a general disability approach and blindness is a sufficiently substantial disability to warrant direct and continuing attention". In his opinion, "categorical agency services to the blind has certain advantages, including serving the whole person rather than providing a patchwork of uncoordinated services from multiple services".

In Virginia, where HR and accounting has been consolidated within the general agency, services for the blind remain separate. There, the agency recognizes that the rehabilitation of blind and visually impaired individuals is different than that for other disabilities. Across the board, those providing blindness services understand that the need to focus on adjustment to blindness requires specialized knowledge and training.

In New Jersey, the National Federation of the Blind and Parents of Blind Children-NJ have called for the NJ Commission for the Blind and Visually Impaired to remain a separate agency. Even within a combined agency like Pennsylvania, the NFB's reasons for remaining separate strike at the very core of providing separate and specialized blindness services. (*See the attached fact sheet*).

In Pennsylvania, the Office of Blindness and Visual Services was established in 1929 and located within the Pennsylvania Department of Welfare. Unique to BVS, was its focus on services from birth to old age and business enterprise. In addition to VR services it managed the 1938 Randolph Sheppard Act and later independent living services for older blind persons.

From its inception to 1999, BVS was designated a separate agency for the blind under the Rehabilitation Act and not a part of OVR and the Department of Labor and Industry. However, in 1999, legislation was passed transferring BVS from the Department of Welfare to Labor and Industry. (*See 71 P.S. 580.1 et seq.*) Under the statute, it became Labor and Industry's duty to assist blind and visually impaired persons to gain employment and become self-sufficient. Since 1999, VR services to the blind and visually impaired have been provided by a separate bureau within OVR. This administrative structure reflects the intent of the legislature in the statute to have the Department of Labor and Industry maintain a separate bureau for blindness services with its own director, advisory committee and fund. (*See Sec. 580.1 definition of "bureau", Sec. 580.2 Department Powers and Duties, Sec. 580.3 Fund, and Sec. 580.5 Advisory Committee for the Blind*). It was also a priority of Governor Tom Ridge at the time to continue separate and specialized services for the blind and visually impaired. In his May 14, 2019 letter to Governor Wolf, which is attached hereto, Governor Ridge states that:

“this move was intended to combine the administrative functions of the vocational rehabilitation programs in each office, while maintaining blindness services as a separate program within L&I providing specialized services to the blind and visually impaired community.”

Looking beyond the current structure of services to the blind and visually impaired community across the country and in Pennsylvania, experts in the field of VR services agree that there are unique reasons for maintaining separate and specialized services for persons who are blind and visually impaired.

Dr. Schroeder is a preeminent scholar on vocational rehabilitation and services to the blind and visually impaired. As indicated above, he is a former Commissioner of the Rehabilitation Services Administration (RSA) within the US Department of Education and is currently the Executive Director of the National Rehabilitation Association. The workgroup sought his opinion on the potential merger of BVS into the general VR program. His response, which is attached, supports the conclusion that positive employment outcomes for the blind and visually impaired depend upon the delivery of specialized services over time. Dr. Schroeder found that:

“Studies conducted over the past four decades have repeatedly demonstrated the effectiveness of specialized services for the blind: Cavanaugh, B. S. (2010). An update on services and outcomes of blind consumers served in separate and general/combined vocational rehabilitation agencies (prepared for the National Council of State Agencies for the Blind by the Rehabilitation Research and Training Center on Blindness and Low Vision, Mississippi State University, Mississippi State, MS: RRTC-MSU) found that—

- Separate blindness agencies continue to serve a higher percentage of consumers with demographic/disability characteristics associated with lower labor force participation rates.
- Separate blindness agencies continue to close a higher percentage of legally blind consumers into competitive employment.
- Separate blindness agencies close a higher percentage of legally blind consumers into employment without supports in integrated work settings.
- Separate blindness agencies close a higher percentage of legally blind consumers into self-employment.

In his opinion “dismantling blindness services would only serve to weaken employment and other services for the blind in Pennsylvania”.

In the end, there is overwhelming evidence from directors of State VR agencies, both separate and combined, experts such as Dr. Schroeder, and

academic studies that persons served through separate agencies for the blind are nearly twice as likely to be self-supporting at closure as blind people served by a consolidated vocational rehabilitation agency.

Conclusion:

Based upon the workgroup's examination of the issue, it finds that separate and specialized services for the blind are necessary for three primary reasons:

1. Blindness, unlike other disabilities, requires a continuum of services over the individual's lifetime. Unlike VR services, which occur as a snapshot of time in the life of a person with a disability, services for individuals who are blind are required from birth to later years. The Bureau of Blindness and Visual Services provides a broad array of vital services including social work, transition services, adjustment to blindness training, assistance for the older blind, and more.

2. Whereas most individuals who experience a disability acquire physical rehabilitation from the medical establishment, people who experience blindness or vision loss are completely reliant on BVS blindness rehabilitation professionals to regain their basic independence, a prerequisite for attaining any type of future employment, and

3. Persons who are blind or visually impaired require VR counselors with specialized knowledge about adaptive training programs, accessible technology, workplace accommodations, and support services that are fundamentally different from those available to most consumers.

Recommendation:

The workgroup urges the State Board of Vocational Rehabilitation to exercise its statutory authority under Section 5 of the Pennsylvania Vocational Rehabilitation Act, *Act of Dec. 20, 1988, P.L. 1306, No. 167, as amended, 43 P.S. 682.5*, and pass a resolution to maintain, with adequate funding, separate and specialized services for the blind and visually impaired within the Bureau of Blindness and Visual Services.



NATIONAL FEDERATION
OF THE BLIND
NEW JERSEY

Live the life you want.



Parents of Blind Children-NJ

For further information, contact:

Joseph Ruffalo, President
National Federation of the Blind of NJ
973-743-0075
nfbnj1@verizon.net

Carol Castellano, Founder
Parents of Blind Children-NJ
973-377-0976
blindchildren@verizon.net

Fact Sheet:

**THE NJ COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED
MUST REMAIN AS A SEPARATE AGENCY**

*With the Commission's **single point of entry & comprehensive system of blindness-specific services** all under one roof, the blind of New Jersey experience **seamless, easy-to-access, expert services***

To best serve the needs of the blind of New Jersey, the NJ Commission for the Blind and Visually Impaired must be preserved as a separate, blindness-specific agency serving the unique needs of the blind. It must not be dismantled and parceled out or folded in to other agencies, as the Governor's Human and Children Services Transition Advisory Committee report seems to recommend.

The NJ Commission for the Blind and Visually Impaired (CBVI or the Commission) was created by state statute in 1910. It provides a **single point of entry** for blind and visually impaired (BVI) New Jerseyans from birth through old age, no matter how old they are when they enter the system.

At this blindness-specific agency, **blindness expertise** is contained all under one roof. **Specially trained professionals** provide consumers, regardless of age, with **seamless services**, whether the need is for early intervention, school and transition services, college services, preparation for the workforce, independence in personal life, or a combination of these.

With this **single point of entry** and **comprehensive system of blindness-specific services** all under one roof, the blind of New Jersey experience **seamless, easy-to-find, easy-to-access, expert service** and certainly **not fragmentation** as suggested in the Report of the Human and Children Services Transition Advisory Committee to the Governor.

Skills such as **Braille** and **tactile graphics**, use of **adaptive technologies**, independent travel with the **long white cane**, and **skills of independent living** are taught by Commission **professionals trained in these special techniques**. **No other agency** in state government offers similar services. **There is no duplication of services** as suggested in the Transition Advisory Committee report.

The **skills that BVI people must master** in order to achieve independence and secure competitive employment are **dramatically different** from what is needed by those with **other** disabilities. These skills tend to be unfamiliar to employees of general agencies. Again, **there is no duplication of services**.

Research **comparing outcomes and costs** of vocational rehabilitation services received by blind and visually impaired people from separate vs. general agencies shows that the unique needs of **BVI people are best served by a separate, dedicated agency** (ongoing research from Mississippi State).

Blind and visually impaired people represent the **smallest percentage** of the general disability population. Their needs tend to get lost in general/combined agencies.

Significantly more clients gain competitive employment without supports in **integrated settings** or in self employment **when served by separate agencies** vs. general agencies (83% vs. 57%). **Separate agencies** are able to achieve these results for **substantially the same cost**. Clients served by **separate agencies** also gain **higher paying jobs** and fewer remain on public assistance. **Separate agencies** close a far smaller percentage of clients as homemakers vs. general agencies (16% vs. 41%) (MS State).

Separate agencies achieve these **better results while serving a more vulnerable population**, including those more severely blind, those with additional disabilities, and those who are poor (MS State).

While the Transition Advisory Committee had the worthy goal of eliminating fragmentation and duplication, the reality is that the implementation of their recommendations would **actually RESULT IN fragmentation for blind people seeking services**.

Another **unintended consequence** of the Committee's recommendations would be the potential **reduction in employment and earnings of blind adults**. Unemployment rates are already too high for individuals with disabilities. **Policy makers must reject any recommendations or changes which could result in reduced services and reduced employment** for the 10,000 BVI people the Commission serves each year.

To our knowledge, **not one blind or visually impaired person or parent of a blind child** was included on the **Transition Advisory Committee**, yet the results of their recommendation would be **drastic negative changes for those actually affected—the blind and visually impaired of New Jersey**.

FACTORS SPECIFIC TO NEW JERSEY:

The New Jersey Commission for the Blind and Visually Impaired was **created by the State Legislature** in 1910, upon compelling testimony from Helen Keller and other national thought leaders.

Unlike most other vocational rehabilitation agencies in the U.S., NJ's Commission **has a state-mandated obligation to provide comprehensive blindness education to BVI students**, to ensure that the general education curriculum is accessible and facilitate inclusion in the regular school.

CBVI is also **responsible for administering a unique program of comprehensive access technology training and equipment distribution**.

In addition, CBVI has been tasked with administering a **comprehensive eye-health services** program, in which its **specially-trained staff** provides **eye screening and other services** to approximately 35,000 residents of the State.

With its **single point of entry, comprehensive system of blindness-specific services** all under one roof, **better vocational rehabilitation results**, and **seamless, easy-to-access, expert services**, the **NJ Commission for the Blind and Visually Impaired must be preserved as a separate agency**.

Tom Ridge

May 14, 2019

The Honorable Tom Wolf
Office of the Governor
508 Main Capitol Building
Harrisburg, Pennsylvania 17120

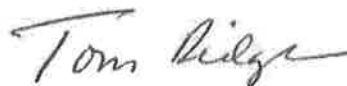
Dear Governor Wolf,

As you know, Pennsylvania has always been at the forefront of assisting individuals with disabilities to receive the individualized services they need to become independent and integrated into the workplace and community. During my tenure as Governor, I was a strong supporter of services for persons with disabilities, especially for those with sensory disabilities. My own experience with a hearing impairment taught me that with the right services and opportunities, much can be achieved.

While Governor, one of my priorities was to create a state system that provided seamless services to persons with disabilities. In my first term, I established for the first time a disability agenda for State government. In 1999, I supported legislation to transfer the Office of Blindness and Visual Services from the Department of Welfare to the Office of Vocational Rehabilitation within Labor and Industry. This move was intended to combine the administrative functions of the vocational rehabilitation programs in each office, while maintaining blindness services as a separate program within L&I providing specialized services to the blind and visually impaired community.

Maintaining Blindness and Visual Services as a separate program was a priority in 1999 and this remains an important principle. It was reflected in the legislation, which anticipates that BVS would be a separate bureau within L&I, have its own director, and advisory committee. Currently, I am honored to serve as the chairperson of the National Organization on Disability and am committed to the right of all persons, especially those with disabilities, to equality of opportunity in the workplace and community. In my experience, this can best be achieved for persons who are blind and visually impaired by continuing to maintain a separate program like BVS, focused on providing specialized services over the individual's lifetime. I hope you consider these reflections and the legislative history during any organizational review.

With appreciation and best wishes,



Tom Ridge
First Secretary, U.S. Department
of Homeland Security
43rd Governor of Pennsylvania

1140 Connecticut Avenue, NW
Suite 510
Washington, D.C. 20036



National Rehabilitation Association

PO Box 150235 • Alexandria, VA 22315

(703) 836-0850 • (888)-258-4295 • (703) 836-0848 FAX

E-mail: info@nationalrehab.org • website: <http://www.nationalrehab.org>

May 9th, 2019

The Honorable Governor Tom Wolf
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

Dear Governor Wolf:

I am writing in my capacity as the former Commissioner of the Rehabilitation Services Administration (RSA) within the United States Department of Education. RSA is the federal agency with oversight of the vocational rehabilitation program across the nation.

I understand that you are considering eliminating the Bureau of Blindness and Visual Services within the Pennsylvania Office of Vocational Rehabilitation. I strongly urge you to reconsider the plan to eliminate blindness services by merging them into the general vocational rehabilitation program.

While it may seem like a commonsense change to combine programs that have complimentary functions, every study that has been conducted has concluded that services for blind people result in higher rates of employment when provided by a separate agency for the blind. The reason is that separate agencies for the blind have a single function and develop expertise required to assist blind people in preparing for and securing employment. Under a generalist model, I am sorry to report, blind people are often viewed as more difficult to serve, leading to an emphasis on helping individuals who have less complex disabilities and less complex needs. While I recognize the need to streamline government functions, I urge you to consider the potential negative consequences associated with such a merger.

Beginning in the 1970s, there have been numerous attempts to answer the question of whether services for blind individuals are more effective and/or more efficient when provided under a combined or specialized model. In every case, researchers have shown that the minimal administrative savings achieved by consolidation are offset by less effective and less well-organized and less efficient services under a generalist's model. In the late 1990s, Cavanaugh, Giesen, and Pierce at Mississippi State University conducted an analysis of national data and found that blind people served through separate agencies for the blind are nearly twice as likely to be self-supporting at closure as blind people served by a consolidated vocational rehabilitation agency. Below is a summary of the most recent data related to the increased efficiency of the specialized model.

To provide exemplary leadership through social advocacy and legislation, advance cultural awareness and competence across communities, promote excellence in research and practice, and support professionals engaged in the employment and independence of individuals with disabilities.

Studies conducted over the past four decades have repeatedly demonstrated the effectiveness of specialized services for the blind: Cavanaugh, B. S. (2010). An update on services and outcomes of blind consumers served in separate and general/combined vocational rehabilitation agencies (prepared for the National Council of State Agencies for the Blind by the Rehabilitation Research and Training Center on Blindness and Low Vision, Mississippi State University, Mississippi State, MS: RRTC-MSU) found that—

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It is documented that combined rehabilitation agencies perform less well on all important performance measures. Dismantling blindness services would only serve to weaken employment and other services for the blind in Pennsylvania.

The blind of Pennsylvania want to work and to live productive lives. To do so, they need access to specialized services that are tailored to their unique needs. A general service model may serve some people with disabilities well, but experience shows that blind people achieve better outcomes when served by a specialized agency for the blind. Please do not let the allure of cost savings lead you to dismantle the services the blind of Pennsylvania so desperately need and deserve.

Respectfully yours,



Fredric K. Schroeder, Ph.D.
Executive Director