

## **AUCD Testimony to the Advisory Committee on Increasing Competitive Integrated Employment**

Thank you for the opportunity to comment on the Interim Report of the Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities. My name is Jack Brandt and I am representing The Association of University Centers on Disabilities (AUCD). AUCD promotes and supports a national network of interdisciplinary centers on disabilities whose members represent every U.S. state and territory. AUCD and its members work to advance policy and practice through research, education, leadership, as well as provide services for and with individuals with developmental and other disabilities and their families and communities.

AUCD applauds the Advisory Committee on their draft of the Interim Report. This draft of the report offers a plethora of ideas for successful implementation of WIOA, and for nationwide investment and expansion of competitive, integrated employment for people with intellectual and developmental disabilities, as well as other individuals with significant disabilities.

AUCD strongly agrees with the Advisory Committee's Subcommittee on Subminimum Wage Proposal to the Secretary of Labor, in consultation with the Rehabilitation Services Administration (RSA) and the Centers for Medicare and Medicaid Services (CMS) to propose a time frame for phasing out the Section 14(c) Certificate Program along with other recommendations to reduce the use of these certificates and steer youth with disabilities into competitive, integrated employment. I, Jack Brandt, was steered in the direction of a sheltered workshop when I was in between universities trying to finish my Bachelor's degree. I chose not to listen to my Vocational Rehabilitation Counselor and instead pursued higher education and eventually was hired for my current position at Virginia Commonwealth University as a Disability Policy Specialist. Many of individuals with disabilities are not achieving their full potential because they are being steered down this path; if the Section 14(c) Certificate Program were eliminated, then youth with disabilities of transition age would be less likely to be placed in "sheltered" workshops, earning subminimum wage, and being isolated from their community and instead would achieve integrated employment earning minimum wage or above.

As the Report states, 95% of all workers with disabilities are being paid subminimum wage or are employed by non-integrated "sheltered" workshops. Along with this, a substantial majority of individuals served by CMS funded programs are placed in non-integrated work settings earning subminimum wage – in Virginia, we find this to be true as well. Most non-integrated work settings do not help people move into competitive, integrated employment.

The Committee recognizes and AUCD agrees that it will take time and careful planning – including determining the role of State Vocational Rehabilitation agencies in effecting change – to transform the services system in a way that does not inadvertently harm individuals currently served by these programs. We support the elimination of Section 14(c) under the conditions of a carefully planned phase out over 10 years and that is accompanied by many of the recommendations provided by the Capacity Building Subcommittee.

AUCD also agrees with the Minimum Wage Subcommittee's additional recommendations related to providing significant technical assistance to states in their efforts to implement the ADA and the Supreme Court *Olmstead* decision as well as intensive technical assistance on how to apply the new Rule governing Medicaid funded Home and Community-Based waiver services. All of these efforts are complementary and will need additional resources.

As stated above, in order to transition away from non-integrated, subminimum wage settings, states will need to build capacity to create competitive, integrated employment opportunities.

AUCD agrees with many of the preliminary recommendations put forth by the Capacity Building Subcommittee, including the need to train professionals who are responsible for supporting individuals to pursue competitive, integrated employment by teaching them job skills such as how to negotiate with employers. As the committee points out, for these direct support professionals, there are few postsecondary education offerings that emphasize the development of disability employment professionals and there are no universally applied standards regarding the hiring and training of staff.

Additionally, to increase competitive, integrated employment opportunities, there must be new ways to pay for services and ways to incentivize states and employment organizations to use them. To that end, AUCD strongly endorses the Capacity Building Subcommittee's recommendation that Congress "direct CMS to expand the use of the HCBS Waiver program funds, now used for facility-based services, for CIE services by changing the state match rate to be the same as that for the state VR program, thus providing an incentive for states to prioritize CIE outcomes," along with the other complementary recommendations.

Thank you for the opportunity to provide these comments. AUCD believes these proposals put forth in the draft of the interim report will help achieve the goal of increased competitive, integrated employment and will help to significantly reduce segregated work and non-work programs and the use of sub-minimum wage certificates.

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