

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

## **Wisconsin (WISCONSIN STATE DEPT OF AGRICULTURE, TRADE and CONSUMER PROTECTION) - H161A180054 - FY2018**

### **General Information**

#### **Designated Agency Identification**

Name Wisconsin Client Assistance Program  
Address 2811 Agriculture Drive  
Address Line 2 PO Box 8911  
City Madison  
State Wisconsin  
Zip Code 53708  
E-mail Address deb.hendersonguenther@wisconsin.gov  
Website Address  
Phone 608-224-5071  
TTY  
Toll-free Phone 800-362-1290  
Toll-free TTY  
Fax 608-224-5069

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

Name Wisconsin Client Assistance Program  
Address 2811 Agriculture Drive  
Address Line 2 PO Box 8911  
City Madison  
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Fax 608-224-5069

#### **Additional Information**

Name of CAP Director/Coordinator Deb Henderson Guenther  
Person to contact regarding report Deb Henderson Guenther  
Contact Person Phone 608-224-5071

## Part I. Non-case Services

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

Multiple responses are not permitted.

1. Information regarding the vocational rehabilitation (VR) program	715
2. Information regarding independent living programs	2
3. Information regarding American Indian VR Service projects	2
4. Information regarding Title I of the ADA	3
5. Other information provided	16
6. Information regarding CAP	5
7. Total I&R services provided (Lines A1 through A6)	743

### B. Training Activities

Topics: Information on the scope of services provided by CAP. Information on the types of calls CAP receives. What constitutes a CAP case. The history of the rehabilitation act. CAP's role in the VR process. Purpose of the training: orientation for new vocational rehabilitation staff. Attendees: Wisconsin Vocational Rehabilitation Counselors, Vocational Specialists, Financial Specialists.

Topics covered: Appeal Process, Review of Wisconsin Statute Department of Workforce Development Chapter 75 Appeal Procedures for Persons Applying For or Receiving Vocational Rehabilitation Services, appeal parameters and limitations, overview of federal laws, regulations and State policies related to the VR program, overview of CAP and Disability Rights Wisconsin.

Purpose: Hearing and appeals training

Attendees: Adjudicated law judges, Division of Vocational Rehabilitation (DVR) Bureau Directors, and DVR Workforce Development Area Directors.

1. Number of training sessions presented to community groups and public agencies. 4
2. Number of individuals who attended these training sessions. 75
3. Describe training presented by the staff. Include the following information:
  - a. topics covered
  - b. purpose of the training
  - c. description of the attendees

### C. Agency Outreach

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

Outreach has been limited due to program resources. CAP maintains contact with the Native American 121 projects, the Independent Living Centers and the State VR program as needed. CAP continues to offer guidance, consultation and training

on challenging cases. Some examples of challenging case consultations: 1. A youth with disabilities living in rural Wisconsin who demonstrated challenging behaviors across all environments and is experiencing great difficulty finding community employment due to the client is well-known in the community, 2. A client who has both physical and developmental challenges living with his parents. The counselor was struggling with ethical concerns as to whether or not the client's parents were negligent in meeting his healthcare needs, 3. A client with significant mental health challenges which interfere with successfully engaging in the VR process and consistently refusing to let the VR program contact/collaborate with her community health program and/or treatment provider, 4. A client with a fixed delusion which consistently interferes with being able to maintain employment.

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

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

The WI. CAP does provide written information regarding CAP services, the scope of services provided by the VR agency, the VR process, VR policy, federal regulations, federal guidance, etc. as requested.

1. Agency Staff Interviewed or Featured on Radio and TV	0
2. Articles about CAP Featured in Newspaper/Magazine/Journals	0
3. PSAs/Videos Aired about the CAP Agency	0
4. Publications/Booklets/Brochures Disseminated by the Agency	0
5. Number of Times CAP Exhibited at Conferences, Community Fairs, etc.	0
6. Other (specify below)	15

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

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

Not applicable

## Part II. Individual Case Services

### A. Individuals served

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

1. Individuals who are still being served as of October 1 (carryover from prior year)	25
2. Additional individuals who were served during the year	63
3. Total individuals served (Lines A1+A2)	88
4. Individuals (from Line A3) who had multiple case files opened/closed this year (In unusual situations, an individual may have more than one case file opened/closed during a fiscal year. This number is not added to the total in Line A3 above.)	5
5. Individual still being served as of September 30 (Carryover to next year. This total may not exceed Line A3.)	20

### B. Problem areas

Multiple responses permitted.

1. Individual requests information	63
2. Communication problems between individual and VR counselor	34
3. Conflict about VR services to be provided	59
4. Related to VR application/eligibility process	1
5. Related to assignment to order of selection priority category	0
6. Related to IPE development/implementation	15
i. Selection of vendors for provision of VR services	
ii. Selection of training, post-secondary education	
iii. Selection of employment outcome	
iv. Transition services	
7. Related to independent living services	0
8. Other Rehabilitation Act-related problems	0
9. Non-Rehabilitation Act related	1
i. TANF	
ii. SSI/SSDI	
iii. Housing	
iv. Other:	
10. Related to Title I of the ADA	0

### C. Intervention Strategies for closed cases

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

1. Short Term Technical Assistance	6
2. Investigation/Monitoring	27
3. Negotiation	8

4. Mediation and other methods of Alternative Dispute Resolution	0
5. Administrative / Informal Review	31
6. Formal appeal / Fair Hearing	0
7. Legal remedy / Litigation	0
8. Total	72

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

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

1. All issues resolved in individual's favor	31
2. Some issues resolved in individual's favor (when there are multiple issues)	12
3. CAP determines VR agency position/decision was appropriate for the individual	12
4. Individual's case lacks legal merit; (inappropriate for CAP intervention)	3
5. Individual chose alternative representation	0
6. Individual withdrew complaint	5
7. Issue not resolved in clients favor	6
8. CAP services not needed due to individual's death, relocation, etc.	0
9. Individual not responsive/cooperative with CAP	3
10. CAP unable to take case due to lack of resources	0
11. Conflict of interest	0
12. Other (Please explain below)	0

#### **E. Results achieved for individuals**

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

1. Controlling law/policy explained to individual	35
2. Application for services completed	1
3. Eligibility determination expedited	0
4. Individual participated in evaluation	3
5. IPE developed/implemented/Services Provided	20
6. Communication re-established between individual and other party	6
7. Individual assigned to new counselor/office	3
8. Alternative resources identified for individual	4
9. ADA/504/EEO/OCR complaint made	0
10. Other (Please explain below)	0

### Part III. Program Data

#### A. Age

Multiple responses not permitted.

1. Up to 18	25
2. 19 - 24	13
3. 25 - 40	24
4. 41 - 64	26
5. 65 and over	0
6. Total (Sum of Lines A1 through A5. Total must equal Part II, Line A3.)	88

#### B. Gender

Multiple responses not permitted.

1. Females	41
2. Males	47
3. Total (Lines B1+B2. Total must equal Part II, Line A3.)	88

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

1. Hispanic/Latino of any race (for individuals who are non-Hispanic/Latino only)	2
2. American Indian or Alaskan Native	2
3. Asian	0
4. Black or African American	20
5. Native Hawaiian or Other Pacific Islander	1
6. White	61
7. Two or more races	2
8. Race/ethnicity unknown	0

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

Multiple responses not permitted.

1. Acquired Brain Injury	2
2. ADD/ADHD	2
3. AIDS/HIV	0
4. Amputations or Absence of Extremities	1
5. Arthritis or Rheumatism	4
6. Anxiety Disorder	0
7. Autism Spectrum Disorder	7
8. Autoimmune or Immune Deficiencies (excluding AIDS/HIV)	1
9. Blindness (Both Eyes)	2
10. Other Visual Impairments (Not Blind)	2
11. Cancer	2

12. Cerebral Palsy	2
13. Deafness	5
14. Hard of Hearing/Hearing Impaired (Not Deaf)	0
15. Deaf-Blind	0
16. Diabetes	1
17. Digestive Disorders	0
18. Epilepsy	0
19. Heart & Other Circulatory Conditions	1
20. Intellectual Disability	7
21. Mental Illness	16
22. Multiple Sclerosis	1
23. Muscular Dystrophy	0
24. Muscular/Skeletal Impairment	0
25. Neurological Disorders/Impairment	3
26. Orthopedic Impairments	22
27. Personality Disorders	0
28. Respiratory Disorders/Impairment	1
29. Skin Conditions	0
30. Specific Learning Disabilities (SLD)	3
31. Speech Impairments	0
32. Spina Bifida	0
33. Substance Abuse (Alcohol or Drugs)	2
34. Other Disability	1
35. Total (Sum of Lines D1through D34. Total must equal Part II, Line A3.)	88

### E. Types of Individual Served

Multiple responses permitted.

1. Applicant of VR	3
2. Individual eligible for VR services currently on a wait list	0
3. Individual eligible for VR services not currently on a wait list	87
4. Applicant or individual eligible for Independent Living	0
5. Transition student/High school student	3
6. All other applicants or individuals eligible for other programs or projects funded unther Rehabilitation Act	0

## Part IV. Systemic Activities and Litigation

### A. Non-Litigation Systemic Activities

The Client Assistance Program Director has a designated seat on the Wisconsin Division of Vocational Rehabilitation's (DVR) Policy Academy Committee. DVR's Policy Academy is comprised of field representatives from each Workforce Development Area (WDAs) and DVR senior leadership. The purpose of the Policy Academy is to address and develop policy, guidance pieces and background information on topics pertinent to the practice of vocational rehabilitation in Wisconsin. Members of the Policy Academy take the information from these meetings back to their respective Workforce Development Areas (WDA) to disseminate to staff. CAP views this committee as an opportunity to apprise, discuss and address systemic issues/concerns.

1. Number of non-litigation systemic activities not involving individual representation that resulted in the change of one or more policy or practice of an agency. 0
2. Describe the systemic activities conducted by CAP during the fiscal year and its impact on other agency's policies or practices.

### B. Litigation

Not applicable

1. Total number of CAP cases requiring litigation involving individual representation resulting in, or with the potential for, systemic change.
  - a. Number of cases requiring litigation involving individual representation filed during fiscal year. 0
  - b. Number of on-going cases pending at start of fiscal year (carryover from prior fiscal year). 0
  - c. Number of cases resolved through litigation during fiscal year. 0
2. Describe the agency's on-going and completed systemic litigation activities involving individual representation.

## Part V. Agency Information

### A. Designated Agency

- |   |  |
|---|--|
| 1. Agency Type (select only one option)               | External-other public agency                             |
| 2. Name of designate agency                           | Department of Agriculture, Trade and Consumer Protection |
| 3. Is the designated agency contracting CAP services? | No   |
| 4. If yes, name of contracting agency:                | Not applicable   |

### B. Staff Employed

Provide a description of all CAP positions (see instructions)

1 Client Assistance Program Director- Full time

1 Client Assistance Program Advocate- Full time equivalent This position was vacant from 10/1/17-7/8/18.

## Part VI. Case Examples

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

A 46 year old female with left leg amputation and paralysis below the waist had been working with DVR since 2016 to try and obtain a different job closer to her home. She was commuting 17 miles 1-way from her home to her part-time job. In mid-August there were some management and personnel changes at her place of employment. These changes resulted in the client being granted a flexible schedule and additional accommodations. Since she had been unsuccessful in obtaining a different job, she chose to remain with her current employer. She was driving a 2008 modified van which she had purchased in 2008 and DVR had modified at that time. Due to normal wear and tear on the vehicle, the ramp was no longer operational. Replacing the ramp was not recommended by the mobility specialist due to the age of the vehicle. The client requested that DVR purchase and modify a replacement van. When DVR denied the request for the vehicle purchase, she contacted CAP. CAP was able to work with the client to provide DVR with the justification to support her request. The client had tried to obtain a loan from several sources but had been turned down because she had to file bankruptcy due to her identity being stolen which resulted in several thousand dollars being charged to her credit cards. This was substantiated by a police report. DVR then approved the request to both purchase and modify the van which allowed the client to maintain her current job.

23 year old male with learning disabilities had just obtained employment as an engineer. In order to maintain his employment, he was required to take the Fundamentals of Engineering exam and have a passing score. Due to his learning disabilities, he requested that DVR pay for a review/refresher course prior to taking the exam. DVR informed the client that he would first need to ask his employer to pay for the exam. Since the client had not disclosed to his employer that he has a disability, he did not want to approach his employer with this request. He then contacted CAP. CAP was able to work with the client to provide DVR with written documentation from the employee handbook that the employer does not provide tuition reimbursement unless the employee has completed 6 months of continuous service as a full-time employee prior to starting the course. DVR then agreed to fund the refresher course.

53 year old male with incomplete quadriplegia secondary to an inoperable tumor on his spine at the C6-C7 level was able to maintain his job as a salaried salesman. His employer was able to accommodate his disability by allowing him to work at home. At the time he contacted CAP, his home had a curved stairwell with 2 individual straight chair lifts which had allowed him to safely access both levels of his home. Initially, he had been able to safely transfer from 1 lift to the other but due to a decline in his mobility, he was falling and even occasionally sleeping on the first floor level couch since he knew he did not have the stamina to make the transfer. He requested that DVR purchase him a continuous curved stair lift. DVR denied his request. CAP was able to work with the client to have DVR pay for an in-home safety assessment which validated the client's falls and the need for a

different stair lift. DVR then agreed to purchase the client a continuous curved stair lift which allowed him to maintain his employment.

## Certification

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

Name of Designated Agency Official Deb Henderson-Guenther  
Title of Designated Agency Official Client Assistance Program-Director  
Date Signed 12/28/2018