

**Public Hearing Concerning the Redesignation of the Administration of
Mississippi's Client Assistance Program (CAP) Grant**

**1:30 p.m. – Wednesday, August 2, 2000
3226 North State Street, Jackson, MS**

AGENDA

1. Welcome

Good afternoon. My name is Kelly Riley and I am a Policy Liaison with the Office of the Governor. On behalf of Governor Musgrove, thank you for taking the time to attend this hearing today. I am here today to receive your comments on the Governor's proposed redesignation of the administration of Mississippi's Client Assistance Program grant, or the CAP grant as it is commonly referred to. I hope that you all registered on the sign-in sheet located at the door, so that our public record may accurately reflect those in attendance today. Please register before leaving if you have not already done so.

2. Summary of CAP Grant

The Client Assistance Program (CAP) is a federal grant that provides advocacy services to Mississippians seeking or receiving services from the Office of Vocational Rehabilitation under Section 112 of the Rehabilitation Act of 1973 as revised in 1998. The Act requires each state to have a CAP in order to receive its allotment for vocational rehabilitation services under section 110 of the Act. In accordance with Title 34, Section 370.1 of the Code of Federal Regulations, the purpose of this program is to establish and carry out CAPs that:

- (a) Advise and inform clients and client applicants of all services and benefits available to them through programs authorized under the*

Rehabilitation Act of 1973 (Act), as amended;

(b) Assist and advocate for clients and client applicants in their relationships with projects, programs, and community rehabilitation programs providing services under the Act; and

(c) Inform individuals with disabilities in the State, especially individuals with disabilities who have traditionally been unserved or underserved by vocational rehabilitation programs, of the services and benefits available to them under the Act and under title I of the Americans with Disabilities Act of 1990.

Due to the fact that the organization here to for known as “Easter Seals Mississippi” will no longer bear that name as of August 10, 2000, and will no longer be affiliated with the National Easter Seal Society and due to the fact that Easter Seals Mississippi has here to for been contracted to administer the CAP program, the Governor proposes to redesignate the administration of this program to the Mississippi Society for Disabilities, formerly known as Easter Seals Mississippi, effective August 10, 2000, in order to ensure continued services without interruption for the convenience of clients. The Mississippi Society for Disabilities will administer the CAP program under the same procedures and guidelines as the Easter Seals Mississippi.

3. Process for redesignation of CAP grant administration

According to Title 34, Section 370.11 of the Code of Federal Regulations, in order for the Governor to redesignate an agency as CAP administrator and for Mississippi to continue to receive funds the Governor must give written notice of the proposed redesignation to the designated agency, the State Rehabilitation Advisory Council, and the State Independent Living

Council at least 30 days in advance of his written decision to the Regional Services Administration. The Governor must also publish a written notice of his intention to redesignate. Following public notice, public hearings concerning the proposed redesignation must be conducted in order to provide individuals with disabilities or their representative an opportunity for comment. The Governor is to fully consider any public comments before issuing a written decision to redesignate.

4. Introduction of exhibits

The following documents were entered into the formal record at the public hearing held on July 27 regarding this proposed redesignation.

- *The required letters of notification of the proposed redesignation, dated June 28, which the Governor sent to Easter Seals, the State Rehabilitation Advisory Council, the State Independent Living Council, Mississippi Protection and Advocacy and to the Department of Rehabilitation Services. These letters notified the respective organizations of the proposed redesignation and invited their oral or written comments on the proposed redesignation until August 7.*
- *A copy of the legal notice of the proposed redesignation and of this public hearing, as well as the public hearing we conducted on Thursday, July 27, at 1:30. This legal notice ran in the Clarion Ledger newspaper on Friday, July 7, and Friday, July 14.*
- *Written comments received as of July 27 by the Office of the Governor. These written comments include letters of support for the redesignation from Jack Virden, Chair of the State Independent Living Council; Lisa Avra, Easter Seals Mississippi; and Butch McMillan, Executive Director of the Department of Rehabilitation*

Services. These comments also include a letter expressing opposition to the proposed redesignation from Becky Floyd, Executive Director of Mississippi Protection and Advocacy

I would now like to enter two additional documents into the record. The first is correspondence dated July 27 from Lisa Avra, Executive Director/CEO of Mississippi Society for Disabilities, formerly Easter Seals Mississippi, notifying the Office of the Governor that she has notified the speech clinic to no longer provide therapy to Vocational Rehabilitation clients and that she has closed the organization's Low Vision Aids and Appliances program due to the conflict with RSA's recent interpretation of the applicable federal regulations. The second document is correspondence dated July 31 from Becky Floyd, Executive Director of Mississippi Protection and Advocacy, expressing her concern as to the Mississippi Society for Disabilities' ability to provide legal services to clients and as to the financial stability of the Mississippi Society for Disabilities.

5. Public Comment

We will now open the floor for public comment on the proposed redesignation of the administration of Mississippi's CAP grant to the Mississippi Society for Disabilities. Please raise your hand to be recognized to make your comments. Upon being recognized, I will ask that you give your name and the organization you are representing so that our court reporter may enter that into the record with your comments. In order to ensure equitable time for all wishing to give comment, I will ask that your comments be contained to five minutes. I will now recognize anyone who would like to speak on this proposed redesignation.

6. Closing

Thank you again for your time and your comments this afternoon. The Governor will fully consider your comments before issuing a written decision to redesignate to the Regional Services Administration.