
OFFICE OF GOVERNOR RONNIE MUSGROVE
INTEROFFICE MEMORANDUM

TO: DR. COLE
FROM: RILEY
SUBJECT: CAP PROGRAM ADMINISTRATION
DATE 6/6/00
CC: BUTTROSS
BOYD
SIMMONS

I met with Presley Posey and Karen Brown of the Easter Seal Society's Client Assistance Program (CAP) yesterday afternoon. The organization known as "Easter Seals MS" will no longer bear that name as of August 10 because it will no longer be affiliated with the National Easter Seal Society. Because Easter Seal MS has been contracted by this office to administer the \$111,000 federal CAP grant, the Governor must redesignate the administration of the program. This CAP grant must be in operation in order for the Department of Rehabilitation Services to receive their federal funding which comprises approximately 80% of their total budget.

According to federal regulations and my conversation with Posey and Brown, the following must occur prior to July 31 (deadline for CAPs to be submitted to the Regional Service Administration (RSA) in Atlanta) 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 Easter Seals, the State Rehabilitation Advisory Council, and the State Independent Living Council. We must send this written notice at least 30 days in advance (no later than June 30) of the Governor's written decision to the RSA. Posey has provided a draft of this letter.

Posey and Brown also recommended that Rebecca Floyd of Mississippi Protection and Advocacy receive a notice, although this is not required under the federal guidelines. They said that she will probably request to administer the grant and that they would be agreeable to this, but they cautioned that she already runs 3 or 4 grants and that they would lose some autonomy over the program.

- The Governor must publish a written notice of his intention to redesignate. Following public notice, public hearings concerning the proposed redesignation must be conducted. These hearings must provide individuals with disabilities or their representative an opportunity for comment. The Governor is to maintain a

written public record of these hearings. We will need to conduct this hearing in July. (I am checking with the RSA as to the exact number we must conduct.)

- The Governor is to fully consider any public comments before issuing a written decision to redesignate.

Diane McQuen of the RSA and I have scheduled a telephone meeting for Thursday, June 8, at 9:30, during which I will verify that these are all of the Governor's responsibilities.

Designation of Grant Administrator

The written notice mentioned in the first bullet must name the agency the Governor proposes to administer the CAP, i.e., **our office must decide who will administer the grant prior to our sending out these notices and the public notice.** Posey and Brown suggest that the Governor designate the new corporation being organized by the Easter Seals MS as the administrator and that the written notice be worded as follows: "...the Governor of Mississippi declares his intent to redesignate the administration of this program to a new entity formerly known as Easter Seals MS..."

I have left a message for Lisa Avera, Executive Director of Easter Seals MS, to call me so that we may discuss Easter Seals MS plans for incorporating under another name.

We also have the option of redesignating another entity as the grant administrator. According to Posey and Brown, we may not designate the Department of Rehabilitation Services as the administrator due to a prior federal decision. According to Posey and Brown, the CAP grant is administered by the following entities in the RSA's Southeastern Region:

Alabama: State rehabilitation agency
Florida: Protection and Advocacy
Georgia: An attorney's Office
Kentucky: State rehabilitation agency
North Carolina: State rehabilitation agency
South Carolina: Governor's Office
Tennessee: Protection and Advocacy

Easter Seals MS has administered the CAP grant since 1991. The Board and Executive Director have assured Posey that they have every intention to operate with the same staff, building and commitment to citizens with disabilities, just not under the auspices of National Easter Seals. Posey and Brown report that they have decision-making authority over the CAP grant and its services, i.e., they are just housed at Easter Seals MS.

As stated earlier, our office must decide who will administer the grant prior to our sending out the written notices and the public notice. **If Easter Seals MS can document by June 15 their steps to incorporate under another name, I recommend that we designate the new entity as the CAPS administrator.**