**A BILL TO FORM A STATE REHABILITATION COUNCIL**

**Summary:**

The National Federation of the Blind of Ohio (NFBO) has posed the question whether Opportunities for Ohioans with Disabilities (OOD) is set up in the way the federal law mandates. Ohio law states that OOD is to be an organization where people with disabilities play an important role in the design and evaluation of vocational rehabilitation services. The NFB is concerned that the current structure of the OOD Commission does not have enough input from consumers.

Under federal law a state must have an Independent Commission (IC) or it must have a State Rehabilitation Council (SRC). Along with 6 other states Ohio was grandfathered in as an IC without an SRC since SRC’s were first established by law in the 1992 amendments to the US Vocational Rehabilitation Act of 1973. Currently Ohio is the last remaining state with the independent commission structure.

**Current Law:** Independent Commission (IC)

Currently OOD has a seven-member Commission selected by the Governor and made up according to the following rules:

* Three members must be from the rehabilitation profession, one of whom is from the field of services to the blind.
* Four members must be individuals with disabilities, of whom at least two but not more than three have received vocational rehabilitation services, though not necessarily in Ohio. These people should be representative of several major categories of people with disabilities.

Federal law requires that an IC also include a member who is a family member, advocate, or other representative of individuals with mental impairments. There is no provision for this in Ohio.

The functions of the IC are to approve the state plan for vocational rehabilitation services, jointly approve the state plan for independent living with the Statewide Independent Living Council, appoint a consumer advisory council, and conduct a review and analysis of the effectiveness of and consumer satisfaction with the vocational rehabilitation services provided by OOD and the employment outcomes (including benefits) achieved by OOD consumers. It has no meaningful direct role in determining OOD’s policies or procedures that affect consumers. Ohio’s IC currently has only two out of the seven commissioners required by both state and federal law and does not currently have the requisite number of members to constitute a quorum to hold meetings or otherwise to conduct business.

**Proposal: State Rehabilitation Council (SRC)**

In contrast to an IC, an SRC must contain a minimum of fifteen members and include representatives from each of a wide variety of groups, including:

* Individuals with disabilities
* Advocacy groups for individuals with disabilities
* The Executive Director of OOD (nonvoting)
* Chairperson or designee of the Statewide Independent Living Council
* At least one representative of a parent training and information center
* At least one representative of the Client Assistance Program
* A representative from the Ohio Department of Education
* Representatives from business and industry
* A Vocational Rehabilitation Counselor (nonvoting if employed by OOD)

The functions of the SRC include reviewing, analyzing, and advising OOD with respect to its performance and effectiveness in the delivery of services; evaluating the effect on consumers of OOD policies and procedures, including eligibility and order of selection; and providing input on OOD’s Annual Report and the State Plan that is submitted to the federal government each year. The SRC in particular can make recommendations to OOD, and, while OOD is not required to follow them, OOD must explain its reasoning for why not to follow the recommendations. The federal government has stated that this is intended to give individuals with disabilities a greater ability to give feedback to OOD and affect policies and procedures in the delivery of vocational rehabilitation services.

**WHAT YOU CAN DO:**

The Legislature should make the Ohio Revised Code comply with the language of the 1992 amendments to the US Vocational Rehabilitation Act of 1973. If you can help us develop this legislation or are interested in sponsoring the bill when it is introduced, contact Sheri Albers, National Federation of the Blind of Ohio Legislative Committee chair: sheri.albers87@gmail.com or (513) 886-8697.