

**Statement of the Learning Disabilities Association of New York State
to the New York State Assembly Standing Committee on Mental Health,
Mental Retardation and Developmental Disabilities**

October 12, 1999

Introduction

Good morning Honorable chair and distinguished members of the committee, my name is Kristine Maislin and I am here today representing the Learning Disabilities Association of New York State and to present our recommendations for improving supported employment services offered to the learning disabled citizens of New York State.

The Learning Disabilities Association of New York State is comprised of eight regional chapters covering the majority of the state. Chartered as a non-profit association by the State Board of Regents in 1958, LDA is a parent-driven organization providing advocacy and support services to individuals with learning disabilities, neurological impairments and other related developmental disabilities, as well as providing support services to the families of individuals with these disabilities.

I would like to take a moment to explain what a learning disability is as it is a disability that is often overlooked, misunderstood and misdiagnosed. A learning disability is a neurobiological disorder, meaning there are differences in brain structure and/ or function in a person who has a learning disability. These differences lead to difficulty in learning. Learning disabilities impede the ability to store, process or produce information. People with learning disabilities have trouble learning because their minds

process words or information differently than people who learn normally. While deficits in basic reading skills and math skills are the most common forms of learning disabilities, learning disabilities can affect an individual's ability to read, write, speak and can even impair one's ability to build social relationships. Learning disabilities can occur along with and be complicated by problems in attention and the development of social skills. Learning disabilities have distinct characteristics and should not be confused with mental retardation, autism, deafness, blindness and behavioral disorders. Because learning disabilities are hidden disabilities that often go undetected, individuals with learning disabilities often times do not receive the appropriate assistance they need. Research indicates that individuals with learning disabilities are at a greater risk of experiencing problems such as substance abuse, suicide, depression and significant psychiatric problems compared to the general public. Learning disabilities may be caused by many factors such as poor prenatal care, abnormal development or viral, bacterial or genetic injuries. Learning disabilities are very real and life-long disabilities for which there is no cure.

With these facts in mind, it is clear that individuals with learning disabilities must confront numerous obstacles in life, including barriers to employment. In order to lead productive and fulfilling lives, these individuals often must seek assistance through state agencies such as OMH, OMRDD and VESID. Because of the misconceptions and misunderstandings surrounding learning disabilities, it is imperative that these agencies, when determining eligibility for receiving services, have a full understanding of these disabilities and the severe impact they have on an individual's life. To ensure these

agencies have this knowledge so those individuals with learning disabilities do not get lost or overlooked in the system, LDA maintains constant dialogue with these agencies. Recently, LDA met with officials from OMRDD and VESID to examine ways the two agencies could establish some continuity, where applicable, between the two agencies and to ensure comprehension of the full magnitude and impact learning disabilities can have on a person. LDA is certainly pleased by some of the outcomes of this meeting, which resulted in LDA's development of a proposal for a VESID counselor training course designed to educate counselors on learning disabilities and how to identify them, at the invitation of VESID. LDA also submitted recommendations to VESID for revising and updating their current policy on Learning Disabilities, as they are several years old, again at the invitation of VESID.

While these actions are certainly steps in the right direction, individuals with learning disabilities still face many challenges in accessing services provided by these state agencies. One of the biggest challenges these individuals encounter is the method by which these agencies classify disabilities; the subsequent need for services and the service programs that are available through these agencies. Because of the way these agencies' guidelines for eligibility are currently structured, a diagnosis of a learning disability may suggest that an individual is not disabled enough to receive services and this is simply not true. Additionally, because of the inherent disparity of learning disabilities from one individual to the next, a "one-size fits all" approach to service delivery, *cannot* and *should not* be applied to everyone seeking assistance. There are some individuals with learning disabilities who fall within the existing guidelines of

being severely disabled while others clearly do not and it is LDA's firm recommendation that any supported employment program that these agencies develop in the future should be focused on a particular individual's needs. There needs to be choices, not just "one mold" or fit for everyone. If a person should fail at their first employment experience, there has to be flexibility in the system, which gives them another option; a second chance. For example, LDA has had much vocational success in the implementation of a Comprehensive Diagnostic Vocational Evaluation (DVE) as a first step in the vocational planning process. The DVE takes the "guess work" out of finding the right job match and having a proper assessment done first can prevent failure. An appropriate individualized vocational assessment can lead to an appropriate and sustainable job match benefiting both the consumer and employer. The system should also consider additional barriers individuals must overcome in finding viable employment opportunities such as transportation to and from the job site. Public transportation is extremely limited and not everyone has access to it or is able to utilize it. Again, there needs to be individualized choices and options to accommodate a particular individual's needs. If a program is to be constructed that will truly and effectively assist these individuals in leading productive lives, they must have access to customized services which consider their full range of needs from job-coaching, to counseling to their transportation needs. The rationale of creating programs that fit the services to the individual as opposed to fitting the individual to the services, when applied to supported employment programs for all individuals with disabilities regardless of their severity, will most likely make that individual that much more employable and ensure that their

employment lasts much longer. In the long run, this is a more cost beneficial approach as well.

In order to achieve this goal of creating a supported employment program that takes into account a full range of a particular consumer's needs, LDA proposes the following specific initiatives, which we believe will allow VESID, in particular, to put some of these changes in place and provide the level of programs, resources and services, necessary to benefit New York's learning disabled population.

With specific regard to funding for improving supported employment programs, LDA supports an \$8 million increase in funding to VESID in order to address current and projected waiting lists and to address structural issues in the current supported employment service delivery system.

To empower the learning disabled population with the appropriate work skills which will make them competitive workers in the 21st century an increase in the level of funding VESID provides for Intensive Supported Work slots and expanded funding for educational opportunities is necessary.

LDA supports an increase in VESID's reimbursement levels for provider agencies that offer extended services that are commensurate with OMRDD's reimbursement rates and recommends the provision of a competitive reimbursement rate for psychologists and

psychiatrists so that consumers can receive evaluations that are appropriate and relative for the learning disabled population, specifically, a neuropsychological evaluation.

To ensure that individuals with learning disabilities with an average to high IQ do not get denied the services they need and require, LDA supports the funding of a comprehensive Diagnostic Evaluation (DVE) and creation of new functional limitation criteria and appropriate assessment tools for classifying and identifying individuals with learning disabilities. Individuals with an average to high IQ can still have disabilities that are debilitating enough to prevent them from obtaining and maintaining viable employment without proper assistance.

LDA supports the creation of a VESID Request For Proposal program so that provider agencies, who have the hands-on experience and technical expertise necessary to adequately address the needs of the learning disabled population, can have the opportunity to be more creative in the development of individualized employment opportunities for hard to place consumers. Finally, LDA believes a more comprehensive safety net is imperative for learning disabled individuals who are moving from welfare to work and correctional services to employment opportunities within the community.

Therefore, to clearly reiterate our recommendations LDA supports:

- An \$8 million increase in funding for Supported Employment
- A similar VESID and OMRDD reimbursement level for provider agencies
- An increase in the level of funding VESID provides for Intensive Supported Work slots.

- The creation of new functional limitation criteria and funding of appropriate assessment tools
- A competitive reimbursement rate for psychologists and psychiatrists to perform required evaluations.
- Funding of a Comprehensive Diagnostic Vocational Evaluation
- A more comprehensive safety net for LD individuals moving from welfare or correctional facilities to employment
- Expanded funding for training to provide individuals with learning disabilities with adequate work skills
- Creation of a VESID RFP program that allows provider agencies to develop appropriate programs to meet the needs of their populations.

In closing, I would like to thank the committee for the opportunity to be here today to present LDA's ideas and recommendations for creating a much more effective supported employment delivery system, which properly implemented now will save lives and even dollars down the line. LDA is encouraged by this committee's desire to seek input from the provider agencies that have a first-hand knowledge of the tremendous impact these services can have on the lives of disabled individuals and to partner with us to develop a system that will most appropriately meet their needs. We sincerely hope that when decisions are being made on how to improve the system so that all those in need are being adequately assisted, our recommendation to consider the consumer first and build the services around their needs, will be considered. Thank you.