



Memorandum of Understanding (MOU)
between the
State of Wisconsin Department of Workforce Development/Division of Vocational Rehabilitation
(DWD/DVR)
and
State of Wisconsin Department of Health Services/Division of Public Health/Bureau of Aging and
Disability Resources (DHS/DPH)
for
Agreement on the Distribution and Monitoring of \$600,000 in Social Security Act Reimbursement Funds
to Wisconsin Independent Living Centers

DHS MOU No.: MOU25-ILC-SSAReimb-00

MOU Amount, If Applicable: \$600,000

MOU Term Period: July 1, 2024, - June 30, 2025, ongoing on an annual basis

Department of Workforce Development/Division of Vocational Rehabilitation (DWD/DVR)

MOU Administrator: David Knuth

Telephone: 608-405-4634

Email: david.knuth@dwd.wisconsin.gov

Department of Health Services/Division of Public Health (DHS/DPH)

MOU Administrator: Debra Standridge

Telephone: 608-261-9444

Email: debra.standridge@dhs.wisconsin.gov

DWD/DVR and DHS/DPH acknowledge that they have read the MOU and any attached documents, understand them and agree to be bound by their terms and conditions. Further, DWD/DVR and DHS/DPH agree that the MOU and any exhibits and documents incorporated herein by reference are the complete and exclusive statement of agreement between the parties relating to the subject matter of the MOU and supersede all proposals, letters of intent or prior agreements, oral or written and all other communications and representations between the parties relating to the subject matter of the MOU. DWD/DVR reserves the rights to reject or cancel the MOU based on documents that have been altered. This MOU becomes null and void if the time between the earlier dated signature and the later dated signature exceeds sixty (60) days, unless waived by DWD/DVR.

Entity Name: DWD

Entity Name: DHS

Authorized Representative

Authorized Representative

Name: Pamela McGillivray

Name: Debra Standridge

Title: DWD Deputy Secretary

Title: DHS Deputy Secretary

Signature:  DocuSigned by: Pamela McGillivray
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Signature:  DocuSigned by: Deb Standridge
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Date: 6/28/2024

Date: 6/27/2024

Entity Name: DWD

Authorized Representative

Name: Meredith Dressel

Title: DVR Administrator

Signature:  DocuSigned by: Meredith Dressel
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Date: 6/28/2024

1. PURPOSE AND SCOPE

The following is a **MOU** between DWD/DVR and the DHS/DPH for the purpose of:

Pursuant to s. 20.445 (5) (n), Wis. Stats., from the moneys received by DWD/DVR from the social security administration under 42 USC 422 (d) and 1382d (d), DWD/DVR shall, in each fiscal year, transfer \$600,000 or the amount received, whichever is less, to the appropriation account under s. 20.435 (1) (kc). This MOU between DWD/DVR and DHS/DPH governs the distribution and use of the Social Security Administration (SSA) Reimbursement funds for independent living services (ILS) to Wisconsin's eight (8) Independent Living Centers (ILCs), consistent with the State Plan for Independent Living (SPIL), incorporated herein by reference, and other federal requirements. This MOU also addresses compliance with federal standards and assurances. The Vocational Rehabilitation program receives 100 percent of its funding for this MOU through a cost-reimbursement program from the U.S. Social Security Administration.

The Administration for Community Living (ACL), Office of Independent Living Programs (OILP) provides the following guidance concerning the Designated State Entity (DSE) in Title VII, chapter 1, part B of the Rehabilitation Act, as amended by the Workforce Innovation and Opportunity Act (WIOA). The term "designated state entity" is the agency that acts on behalf of the State for Title VII programs. The DSE carries out the legal and fiscal responsibilities for Independent Living services. Additionally, the SPIL must designate the DSE. The DSE in the current SPIL is DHS/DPH/Bureau of Aging and Disability Resources.

1.1 Scope of Work

- **Personnel:** DHS staff within the Bureau of Aging and Disability Resources (BADR), Office for the Promotion of Independent Living, will issue and oversee contracts with the eight (8) ILCs to deliver independent living services as outlined in Title VII, chapter 1, part B of the Rehabilitation Act, as amended by WIOA.
- **Activities and Timelines:** ILCs provide annual budget reports to DHS/DPH. ILCs also submit their annual federal Program Performance Reports (PPR), on an annual basis to DHS/DPH which identify independent living services provided, and to whom, statewide. ILCs scope of work as outlined in their contracts in relation to SSA Reimbursement Funds is included in Exhibit A.
- **Financial Components:** Pass-through funds from DWD/DVR will be issued to ILCs on a state fiscal year (July 1 – June 30) basis and distributed as outlined in the approved SPIL (see chart below). ILCs will complete a budget request form that will be submitted to DHS/DPH and DWD/DVR for approval. ILCs will also provide an annual program and financial report to DHS/DPH. DHS/DPH will provide this information to DWD/DVR. DHS/DPH will also bill DWD/DVR on a quarterly basis for SSA Reimbursement expenses incurred by the ILCs.

ILC	Funding Source: ILC State GPR	Funding Source: Social Security Act Reimbursement Funds	TOTAL SFY Award (all funding sources)
Access	\$44,395	\$27,085	\$71,480
Society's Assets	\$182,682	\$111,448	\$294,130
Independence First	\$19,483	\$11,887	\$31,370
IndiGO (DBA North Country IL)	\$182,682	\$111,448	\$294,130
CILWW	\$6,212	\$3,788	\$10,000
ILR	\$182,682	\$111,448	\$294,130
Options	\$182,682	\$111,448	\$294,130
Mid-State	\$182,682	\$111,448	\$294,130
TOTAL	\$983,500	\$600,000	\$1,583,500

A. Applicable Federal and State Regulations

Title I, Section 108 of the Rehabilitation Act of 1973 (the Act) requires that amounts provided to the State under the Social Security Act (42 U.S.C. 301 et seq.) may not be expended for any purpose other than carrying out programs for which the State receives financial assistance under title VI, or under title VII, of the Act under Section 110 (29 U.S.C. 728). In Wisconsin, DWD/DVR, receives these Social Security Act Reimbursement funds.

The Workforce Innovation and Opportunity Act (WIOA) transferred Independent Living Services and Centers for Independent Living programs authorized under Chapter I, Title VII of the Act, as amended by WIOA (Pub. L.

113-128) from the Rehabilitation Services Administration(RSA), U.S. Department of Education (ED), to the Administration for Community Living (ACL), U.S. Department of Health and Human Services (HHS). WIOA also transferred the National Institute on Disability, Independent Living, and Rehabilitation Research, and the Assistive Technology Act programs to ACL.

Under Title VII of Act, as amended by WIOA, the Designated State Entity (DSE) receives federal financial assistance under Title VII, Part B, State Independent Living Services (SILS) program and the Centers for Independent Living (CIL) program. In Wisconsin, the DSE is the Department of Health Services (DHS), Division of Public Health (DPH).

Thus, funding under this MOU between DWD/ DVR and DHS/ DPH is for the purpose of carrying out Independent Living Services under Title VII of the Rehabilitation Act of 1973 in the State of Wisconsin.

Applicable State Statutes include:

- DWD/DVR Wis. Stat. § 20.445(5)(n) - Department of Workforce Development Appropriations;
- DHS/DPH Wis. Stat. § 20.435(1)(cx) - Department of Health Services Appropriations; and
- ILC Wis. Stat. § 46.96 - Independent Living Center grants; Independent Living Services.

B. Use of Funds

The DSE is DHS/DPH/Bureau of Aging and Disability Resources, as identified by the State and named in the SPIL. The DSE must submit to the Administrator (HHS/ACL) and receive approval of the State plan in order to receive funding under Title VII, Part B of the Act.

Funds may be used to deliver all required core Independent Living Services (ILS), as expanded by WIOA, and identified by federal regulations and/or activities and services identified in the approved SPIL. Each ILC will submit a plan for approval by DHS/DPH reflecting the activities and a budget for these funds related to the core ILS as outlined in the SPIL.

DHS/DPH will share the Grant Continuation Plan and Budget for each ILC with DWD/DVR for review prior to approval. Funds shall not be released to the ILC until the plan and budget is approved by DHS/DPH.

Other federal funds, including Social Security Act funds, may also be used consistent with designated uses for general Center for Independent Living (CIL) operations, including providing Independent Living Services (ILS) and support for outreach to underserved groups.

Additionally, state funds under Wis. Stat. § 46.96 and Vocational Rehabilitation program revenue will be used for general CIL operations, including provision of ILS, consistently with designated uses for Title VII, Ch. 1, Pt. C funds.

Pursuant to 34 CFR § 361.35(a)(3), Innovation and expansion activities, the State plan must assure that the State will reserve and use a portion of the funds allotted to the State under section 110 of the Act to support the funding of the Statewide Independent Living Council, consistent with the plan prepared under Section 705(e)(1) of the Rehabilitation Act of 1973, as amended (29 U.S.C. 701 et seq.).

C. Distribution of Funds

Wisconsin's eight (8) ILCs have agreed to a formula that will be utilized to determine the distribution of the funds to each ILC, based on the Wisconsin Independent Living Centers State Grant Continuation Plan and Budget. The formula is based on achieving an equitable base of funding to each ILC as outlined and approved each year under the SPIL and the State Resource Plan. If formula changes are requested by the ILCs, DHS/DPH is to consult with DWD/DVR, prior to any agreement.

2. ACCOUNTABILITY

DWD/DVR Contact Person: Andrzej Walz-Chojnacki

Title: DVR Program and Policy Analyst

Agency Phone Number: 414-250-6566

Agency Email Address: Andrzej.WalzChojnacki@dwd.wisconsin.gov

DHS/DPH Contact Person: Lisa Sobczyk

Title: Supervisor, Office for Physical Disabilities and Independent Living

Agency Phone Number: 608-266-9354

Agency Email Address: Lisa.Sobczyk@dhs.wisconsin.gov

3. REVIEW CYCLE PERIOD

Each ILC will submit the annual Program Performance Reports (PPR) to DHS/DPH by January 31st to document the use of funding provided to each of the ILCs for the delivery of required core Independent Living Services identified by federal regulations, and/or activities and services identified in the approved SPIL. As the DSE, DHS/DPH will maintain responsibility for program monitoring and conduct program and fiscal reviews of each ILC by reviewing the annual Program Performance Reports (PPR) against the approved plans.

DWD/DVR will review reports provided by DHS/DPH for monitoring purposes. The annual PPRs will be provided to DWD/DVR within 30 days of DHS/DPH receiving the annual PPRs. DHS/DPH will also provide DWD/DVR Grant Continuation Packets (includes Scope of Work, proposed budget, and signed signatory page) by July 31st and budget reporting forms comparing the proposed program budget to actual expenses for the year by December 31st for each of the ILCs for the use of Social Security Act funds for Independent Living Services.

A. Invoice Requirements

DHS/DPH will invoice DWD/DVR on a quarterly basis for actual expenses paid for with Social Security Act funds for Independent Living.

Invoices must be submitted to DWD/DVR within 45 days of the end of the quarter.

Address the invoice as follows:

DWD – DIV OF VOC REHAB

ATTN: DVR BUDGET ANALYST

PO BOX 7852

MADISON WI 53707-7852

AND:

1. Enter the invoice into STAR as an inter-agency invoice.

2. E-mail all back-up and supporting documentation to:

Einvoice@dwd.wisconsin.gov. There is no need to mail in a hard copy of the invoice if the above steps are followed.

B. Terms of the Agreement

This agreement shall begin when fully executed by all parties and remain in effect as long as funding remains unchanged and intact. Any changes requested by either party will be negotiated and further specified as amendments

to this MOA.

Target Review Date: June 30th on an annual basis.

4. TERMINATION WITH NOTICE

Either party can terminate this MOU with a 30-calendar-day written notice. Other technical assistance or projects identified by either party during the MOU will be negotiated and further specified as modifications to this MOU. These modifications will be written and signed by the proper representatives of each agency and identify the exact nature of the assistance to be provided. Fiscal specifications, if any, need to be identified. These agreements will be attached as modifications or as clarifications to this MOU.

Exhibit A

Wisconsin Independent Living Centers State Fiscal Year Grant Continuation Packet Social Security Reimbursement Funds

ATTACHMENT 2 (SFY Contract): Social Security Reimbursement Funds

This document is the Scope of Work that the GRANTEE shall provide the GRANTOR. Specifically, the GRANTEE will provide Independent Living Services at the GRANTEE'S Independent Living Center (ILC) location(s) and within their service area for the State Fiscal Year.

SCOPE OF WORK

GRANTEE

- A. All Social Security Reimbursement Funds contract funding shall be used to support operations of the ILC and to fund staff time and activities, appropriate travel expenses, supplies, and appropriate administrative costs to deliver Independent Living Services to consumers.
- B. The GRANTEE will ensure that people with disabilities have access to the core Independent Living Services including:
 - Information and Referral,
 - Advocacy,
 - Peer Support,
 - Independent Living Skills Training, and
 - Services that provide full access to community life for individuals with significant disabilities. The new core service includes services that:
 - Facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the requisite supports and services;
 - Provide assistance to individuals with significant disabilities who are at risk of entering institutions, so that the individuals may remain in the community; and
 - Facilitate the transition of youth who are individuals with significant disabilities, who were eligible for individualized education programs under the Individuals with Disabilities Education Act and who have completed their secondary education, or otherwise left school, to postsecondary life.
- C. The GRANTEE shall ensure that timely ILC services are available to people with disabilities regardless of the person's disability or income. ILC services may also be available to families, friends, caregivers, and others who work with or care for people with disabilities.
 - To promote utilization of ILC Services, the services should be accessible both physically and programmatically. All documents produced by the ILC, and their public facing websites, must be fully accessible to individuals with disabilities and content should be written in plain language that is clear, concise, and well organized, as referenced in the Plain Writing Act of 2010. Web content should achieve WCAG 2.1 Level AA compliance (WebAIM WCAG 2.1 Checklist). The Grantor may request a VPAT (Voluntary Product Accessibility Template) or ACR (Accessibility Compliance

Report) which identifies the success criteria for meeting the WCAG 2.1 AA requirements.

Documents produced and provided by the ILC should also be fully accessible and tested for this function prior to publication or distribution. This includes Microsoft Word and PowerPoint, Google Slides or Documents, and PDF materials. The Grantor can provide resources and support in the area of web content and document accessibility upon request.

- ILCs must have the ability to provide services in a private and confidential manner, promote a welcoming and inviting service delivery model, be culturally competent, promote universal design, be able to communicate with persons of differing abilities, and be available at a location preferred by and a time convenient and accessible to the individual receiving services. Service delivery modalities for both individuals and groups will include options such as mail, email, virtual, contact-less, and face to face.
- The Administration for Community Living (ACL), Office of Independent Living Programs (OILP), has provided guidance on the delivery of core independent living services. It is anticipated that ILC core service delivery will be conducted continually and open communication with the DSE should occur if the need arises to suspend services or initiate a waiting list for services.

D. Staff providing Independent Living Services at the ILC will provide data on the services (See item B of the Scope of Work). Each ILC will send their annual Program Performance Report (PPR) to DHS for Federal Fiscal Year (October 1, – September 30) by December 31 on an annual basis. Please submit annual PPR via email to: DHSWistech@dhs.wisconsin.gov.

E. As outlined in the June 28, 2019, Memorandum for Heads of Executive Departments and Agencies; Re: Transition to Electronic Records, as a cost-effective opportunity, this memorandum specifically focuses on records management, and directs Federal agencies to transition recordkeeping to a fully electronic environment that complies with all records management laws and regulations. ILCs have the ability to transition to electronic record keeping and must adhere to the following:

- Ensure that all Federal records are created, retained, and managed in electronic formats, with appropriate metadata; and
- Consistent with records management laws and regulations, develop plans to close agency-operated storage facilities for paper and other, analog records, and transfer those records to Federal Records Centers operated by National Archives and Records Administration (NARA) or commercial storage facilities.

F. Each ILC will also be required to submit an annual budget report for Social Security Reimbursement Funds using the Budget Reporting Form (included in this grant continuation packet) on an annual basis. Please submit your Budget Reporting Form annually via email to: DHSWistech@dhs.wisconsin.gov by July 31st. The annual budget report must be submitted using attached Budget Reporting Form; other formats will not be accepted.

G. Submit invoice payment requests related to the Social Security Reimbursement Funds program award to the DHS Grant Enrollment Application and Reporting System (formerly Community Aids Reporting System (CARS)). For GEARS reporting forms and payment schedule, see DHS CARS/GEARS webpage: dhs.wisconsin.gov/cars/index.htm.