



March 23, 2018

Debra Cronmiller
Department of Children and Families
201 E. Washington Ave
P.O. Box 8916
Madison, WI 53708-8916

Re: Proposed Amendment of DCF 101

Dear Ms. Cronmiller:

Thank you for the opportunity to comment on the Wisconsin Department of Children and Families' proposed changes to administrative rule DCF 101.

The Wisconsin Board for People with Developmental Disabilities (BPDD) is concerned that the proposed criteria for who can apply for a hardship exemption to extend W2 eligibility is too narrow and does not include caregivers and several populations of people with disabilities who often face multiple barriers to employment. BPDD recommends that the hardship exemption should accommodate these populations of caregivers and people with disabilities who have additional barriers to work.

1. People with Intellectual/Developmental Disabilities—both formally diagnosed and undiagnosed—who are participating in the W2 program.
2. Parents with permanent disabilities
3. Parents who have children with disabilities
4. Unpaid caregivers (often family) of adults with disabilities
5. W2 participants who are waiting for SSI or SSDI determinations
6. People with chronic or reoccurring health conditions

Many people with invisible disabilities—including autism, epilepsy, traumatic brain injuries, chronic and reoccurring health conditions, and mild intellectual disabilities—are participants in the W2 program. Often the presence of these disabilities results in the need for additional supports and accommodations to find and keep a job and locate reliable affordable transportation to commute to job sites. These needs can become barriers to employment, and additional time in the program can be needed to overcome significant challenges to employment.

BPDD recommends that the hardship exemption be extended to people with disabilities who are awaiting a disability determination from the Social Security Administration, and that the hardship exemption include a process to review and exempt people with disabilities who lack a formal medical diagnosis. It may take two years for people who have applied to the Social Security Administration to receive an initial disability determination; many people with disabilities find it necessary to take

additional time in an appeals process before receiving a formal recognition of their disability.

There is also a significant population of people with disabilities who lack formal documentation of their disability prior to age 18 or who were diagnosed after age 18. It is important to note that underserved populations—including those from low income families with limited access to medical care, and culturally and linguistically diverse communities—are less likely to have a formal documented diagnosis of their disability prior to age 18 due to lower health care access and other barriers, which may impact their ability to obtain an adult disability determination. Both these populations face barriers and challenges to obtaining employment.

Caregivers of children and adults with disabilities also face significant impediments and unique barriers to employment and should qualify for a hardship exemption. Many people with disabilities—especially in the context of Wisconsin’s growing caregiver crisis—rely on unpaid (often family) caregivers to provide some or a large proportion of the caregiving needed, and to fill in gaps when paid support cannot be found, is late, or does not show up for assigned shifts. We hear from families across the state that they have often had to rearrange schedules and even leave their jobs to fill in caregiving gaps.

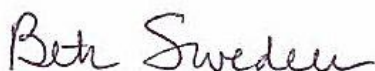
Caregiving responsibilities may add a barrier to employment, especially when jobs have changing schedules from week to week. When paid caregiver positions cannot be filled, staff changes, or staff is late or does not arrive, unpaid family caregivers are left to juggle schedules and accommodate the best they can. Often this may result in prioritizing the health, care, and safety of an older adult and/or child/adult with a disability by filling in caregiving gaps themselves. This layer of unpredictability can make scheduling work difficult.

The same challenges apply for parents of children with disabilities, who may have to respond to a child’s behaviors or accompany their child to medical or therapy appointments during the work day. We know parents whose children’s unique needs result in such a volume of medical and other appointments that they have had to leave the workforce entirely to accommodate providers’ schedules.

BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities.

Our role is to seek continuous improvement across all systems—education, transportation, health care, employment, etc.—that touch the lives of people with disabilities. Our work requires us to have a long-term vision of public policy that not only sees current systems as they are, but how these systems could be made better for current and future generations of people with disabilities.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Beth Swedeen".

Beth Swedeen, Executive Director, Wisconsin Board for People with Developmental Disabilities