



Gail Godwin's OIRA/14c Testimony 10-08-2024

My name is Gail Godwin. Thank you to the panel for allowing me to share my testimony with you today.

I. QUALIFICATIONS, BACKGROUND AND EXPERIENCE

I am the Founder and Executive Director of [Shared Support Maryland, Inc.](#), a provider of services and supports for people with disabilities. I also work as a Training Associate at [The Institute for Community Inclusion at University of Massachusetts Boston](#). For the For the past 32 years, I have worked in the disability field. I hold a Masters of Arts from the University of Pittsburgh, School of Education, Program in Severe Disabilities with a focus on educational, employment & community inclusion. Throughout the course of my graduate education and in direct application throughout my career, my work has centered on advancing the principles of the disability rights movement in support of and collaboration with people with disabilities. I am an advocate in collaboration with people with disabilities and have worked in service provision organizations as a direct support staff, job coach, middle manager, Support Broker, administrator, and in training & development. In my testimony, I will share strategies for supporting people with disabilities transition from sheltered workshops to competitive integrated employment.

I continue to work directly for and with people with disabilities who use Self Directed Services as a Support Broker, which makes up 60+% of my role at Shared Support Maryland, Inc., and I oversee all operations of the organization where people specifically use Self Directed Services. The role of a Support Broker is to support a person with disabilities (and their chosen team, if applicable) to learn about, understand and exercise their budget and



employer authority to self-direct their Medicaid services, including employment services. This model presumes that people know best what they want, need and will aim for in life, how service dollars can be organized around this, how the service is delivered to them, as well as who delivers it. It also assumes that living and working in the community always fits the needs of disabled people.

I and Shared Support Maryland, Inc. have direct experience working for people, including those with significant and multiple disabilities, to understand their rights as employees, their rights as people in the common community and that all jobs are available to them to apply. Further, our role includes planning with people who are leaving sheltered workshops by providing transitional planning, support and consultation as people obtain and retain Competitive Integrated Employment (CIE) and work toward careers. Part of that is ensuring access to a myriad of accommodations that enable people to keep their jobs and be successful.

The item I would like to specifically address is the transition planning from one setting to a competitive job and career planning. Transition planning documents a path to employment in a tangible, practical, and feasible way to support the transition of a disabled employee from 14c to CIE.

- Uploaded to the portal is a document called Social Roles, Volunteerism and Paid Work Maps. This is just one set of person directed planning tools used to facilitate conversation and planning on what people are able to do, their character, capacities and what is possible for gainful employment around those elements about the person. The person and if available, the person's team gather to plan for potential



employment. Gifts and capacities are thought through, places and positions (including entrepreneurship) where one is paid for the gifts and capacities are brainstormed. Where you live and what's happening around you is observed and noted as potential opportunities for someone. The person with or without the assistance of their team members, friends, family, etc. choose where to begin first and create an action plan after determining what positions to approach first (second, third, etc.).

- Action plans turn into job descriptions (to do list and specific support needed on the job) and are accommodation structure tools for the person and their supporters to carry forth to search, gain and keep the job. Action plans include:
 - [Marc Gold and Associations](#) and others have for decades prepared people and our field with tools to specifically define the *conditions of a job, aspects of the job's environment* and accommodations people need and want to be successful. These become part of the person's person directed work plan.
 - *Accommodations* are determined, sought after and secured for the person's work on the job. The types of accommodations people use in CIE include technology and applications, prompting, alarm and reminder systems, shorter shifts if working, checklists to stay on par and keep an order to tasks that require such, adapted computers, talk to text and other applications for communication and productivity, higher engagement with management at job so that tasks are clearly described, job coaches support, having a skilled nurse and a job



coach on the job, being able to work 100% remotely, in a way that is understood by the person, etc.

- *Funding and services are determined.* Medicaid funded employment services (using Maryland as an example) provide support Medicaid Waiver and other types services for people with disabilities and are also able to be combined with other service funding streams to support people who have needs that span service system. For example:
 - Already mentioned - a skilled nurse and a job coach can support the same person at the same time on the job.
 - The employer can receive a time-limited payment to support the worker on the job, instead of a job coach.
 - Department of Rehabilitation Services and the Developmental Disabilities Administration funds and services can be used when one stops - the other starts. Cooperative agreements and systems working together permits this.
 - Centers for Independent Living can be accessed for specific technology, skills training and other services and goods to make the work on the job successful.
- *Who and by when are people going to do what.* The job seeker, employment specialists, job developers, job coaches, benefits specialists, case managers, etc. roles are determined, training needed is determined, schedules and in some case - job descriptions and recruitment plans for those positions are developed in case the person needs to hire someone to assist.



- The benefit of ongoing and follow along support, re-opening services when needed, flexible funding - all allow for support to maintain the job and also new needs, including finding a new job, as they arise by the person.

There exists an infinite number of ways any person can be supported during their transition from 14C to employment and the same to keep the job.

The cons to paying people subminimum wage are most typically not highlighted by disabled people. I am privileged to work for people who have transitioned from sheltered workshops and crews, historically paid subminimum wage, now in competitive positions who state that they will never go back. It is essential that the system continues to improve to support this reality that is in line with not only the HCBS Community Rule but with the interests of people.

I urge OMB and DOL to release the 14(c) NPRM in October 2024, especially because the regulatory agenda said it was supposed to come out in September 2024.

II. Expert Witness Testimonies

I have provided testimony in the following situations:

- February 2019. Provided written Expert Witness Report regarding the matters of reasonable accommodation to a child (4 ½ years old at the time of the report) and a Montgomery State Department of Education

Shared Support Maryland, Inc.

(Maryland) licensed Preschool and Nursery and its owner and sole operator/provider;

- July 2017 - February 2018. Provided written report testimony regarding one of the three people named in suit on the ADA and reasonable accommodation on his job. [Three workers with disabilities previously paid subminimum wage sue Roppe Industries for employment discrimination](#); and
- June 2014. Senator Harkins HELP Committee ~ Olmstead Hearing *Moving Toward Greater Community Inclusion - Olmstead at 15* <https://www.help.senate.gov/imo/media/doc/Godwin.pdf>.

III. PUBLICATIONS

I have written and co-written several articles published in newsletters and magazines such as Impact through the Institute on Community Integration, rtc on community living, University of Minnesota, *It's a Matter of Social Justice: Personalized Supports in Maryland*

<https://ici.umn.edu/products/impact/311/SSMD/#SSMD> and released today and most relevant to the topic co-authored *Perfect Pair: Employment Services in Self-Directed Settings*

https://publications.ici.umn.edu/impact/37-2/perfect-pair-employment-services-in-self-directed-settings?j=12998407&sfmc_sub=522497310&l=82195_HTML&u=267485283&mid=6379454&jb=8

I. COMPENSATION

I am not being compensated for my work on this matter.



Thank you for the opportunity to share my testimony.