



New Hampshire Governor's Commission on Disability

Christopher T. Sununu, Governor
Paul Van Blarigan, Chair
Charles J. Saia, Executive Director

To: Honorable Christopher T. Sununu
Governor, State of New Hampshire

From: Charles J. Saia
Executive Director
Governor's Commission on Disability

RE: Governor's Budget Hearing

Date: November 20, 2020

The Governor's Commission on Disability (GCD) is statutorily created pursuant to RSA 275-C and is the NH executive branch state agency that serves people with cross-disabilities, advises the Governor, Legislature, and other state agencies regarding disability-related compliance, and primarily provides assistance with the Americans with Disabilities Act (ADA) and other disability related laws.

As part of the Governor's Office, the GCD is comprised of 18 gubernatorial appointed commission members (the enabling statute allows for up to 30 members), representing persons with a disability or parents or guardians of persons with a disability, members of the general public and organizations which provide services for persons with disabilities. The Commissioners of DHHS, DOE, DOL, DES, the Administrator of Vocational Rehabilitation (DOE), the Supervisor of Blind Services and a member of the State Board of Education are all ex officio, non-voting, members of the Commission.

The GCD's mission is to remove the barriers, which bar people with disabilities from full participation in society. As a primary provider of ADA assistance, the GCD embraces the purpose of the ADA and educates on the elimination of discrimination against individuals with disabilities. The Commission's motto is *Access for All*. As an integral conduit and disseminator of information to the public, the GCD also comments to the governor and legislature on the adequacy of programs, while advocating for plans/programs regarding individuals with a disability.

A BRIEF SYNOPSIS OF THE GCD

Client Assistance Program

The GCD, through the Rehabilitation Services Administration of the U.S. Department of Education supervises and operates the Client Assistance Program, which ensures that clients of Vocational Rehabilitation are receiving the best possible services available while also educating and advocating on Title I of the ADA which pertains to employment matters. The FY 22 and FY 23 Budget anticipates a federal grant award of \$131,917.00.

STABLE NH

Pursuant to RSA 195-K, the Executive Director of the GCD and the NH State Treasurer are the co-administrators of New Hampshire's ABLE Savings Program (known as STABLE NH), authorized by the federal Achieving a Better Life Experience Act. STABLE NH Accounts allow individuals with a disability to save money, tax free, without jeopardizing needs based benefits like Medicaid. STABLE NH is implemented without any state general fund moneys and currently has 414 NH accounts, with \$2.7 million in NH assets under management.

Committee on Architectural Barrier-Free Design

Under the umbrella of the GCD is a statutory committee, known as the Architectural Barrier Free Design Committee (ABFDC), which reviews publicly funded buildings and properties for compliance with the code for barrier free design (the code). The Committee is entrusted to promulgate and enforce the code which requires access and compliance with the ADA for buildings which receive or are improved with state or municipal funds. The ABFDC also works closely with other NH state agencies and offers letter of opinions regarding compliance with the code when the agencies are entering into 3rd party leases for non-state owned properties.

Statewide Independent Living Council (SILC)

The Governor's Commission on Disability houses the Statewide Independent Living Council (SILC) and incorporates the Council's part time Program Assistant, into its staff structure. Under a contract and agreement with the New Hampshire Department of Education, the GCD is scheduled to receive \$55,000 for FY 22 and FY 23, for the housing of the SILC Program Assistant and related activities.

New England ADA Center (NEADA)

The GCD is under contract with the New England ADA Center (NE ADA) to act as its State Affiliate in NH. The GCD is scheduled to receive \$4,200 for FY 22. NE ADA receives federal funding on a 5 year grant cycle, and as NE ADA is in its last year of funding and it will reapply for funding in calendar year 2021. NE ADA is not able to commit any additional funds in FY 22 and FY 23 to the GCD at this time. By way of reference, the GCD received \$17,800 for FY 20 and \$16,800 for FY 21. Should NE ADA award money to the GCD, then the latter will petition the Governor and Council appropriately for receipt and expending of the monies.

Telecommunications Equipment Assistance Program (TEAP)

Pursuant to RSA 362-E, the GCD administers the TEAP, and receives \$96,000 (from the PUC's telecommunications relay service trust fund) each fiscal year, of which up to \$92,250 is awarded annually for a 2-year contract to a successful bidder.

Newsline for the Blind

Pursuant to RSA 275-C:8-a, the GCD is appropriated \$31,500 annually to fund the National Federation of the Blind's Newsline for the Blind. The source of the funding is the PUC's telecommunications relay service trust fund.

Staff of the GCD

The GCD has a staff of 6 full time employees (including the Executive Director) and one part time employee, consisting of an Administrative Secretary, Business Administrator, Research and Information Specialist, Accessibility Specialist, Ombudsman of the Client Assistance Program (CAP), Program Assistant of Statewide Independent Living Council (SILC).

FY 22/23 Budget

We respectfully submit that the continued adequate funding of the Governor's Commission on Disability is essential to ensure that the mandates delegated to the GCD are effectively carried out. Although the GCD worked diligently to produce an efficiency budget in both years of the new biennium which will carry out the core fundamentals of the GCD, the ensuing reductions across the majority of its general fund classes will somewhat impose hardships on the agency. The GCD's 10% target totaled \$49,866 in FY 22 and \$49,258 in FY 23. Coupled with the 10% target request, the GCD incurred increased expenses totaling \$18,742 in FY 22 and \$26,205 in FY 23. These expenses are spread across Classes 10, 27, 28, 39, 40 and 60, with the predominate increases representing Class 28 (rent), 10 (classified payroll) and Class 60 (benefits).

The GCD achieved its 10% target and essentially addressed the other budgetary increases mentioned above by unfunding a full time classified position with benefits as well as instituting reductions across the vast majority of its classes as referenced in Form C, "Analysis of the Efficiency Target" in the submitted GCD Budget.

To try to offset the reductions mentioned above and to attempt to address the loss of a full time classified position, the GCD is requesting an increase in its Class 50 Part Time/Temporary Budget in the amount of \$42,963.00 for FY 22 and \$44,818 for FY 23.

The loss of a full time position will not only impact the GCD's operations, it will also impact state government as a whole. Each position at the GCD is uniquely designed to work with other positions while providing ADA information about the specific subject matter of the position.

The GCD has a valuable and pivotal position in State Government. It is an executive branch agency which acts as the state's ADA resource. The GCD interacts and provides advice to a number of other State of NH agencies on topics such as employment, physical accessibility, service animals, and benefits as related to individuals with disabilities. It does not surprise us that the GCD's strong relationships with so many of our sister State agencies has grown, as the issues that involve the Americans with Disabilities Act have intensified. Whether it involves the ADA and employment, the ADA and service animals, the ADA and physical accessibility—there is a growing need for collaboration that we do not see slowing down any time soon.

Over the past 7 years, the GCD has grown in stature and importance as evidenced by the increase in requests regarding ADA matters. Requests come in many forms and the GCD has been nimble in its response. Public inquiries, whether by phone or email, have increased. Requests to share information on a panel or make a presentation have increased. When you have every single member of the GCD operating from a place of collaboration, not only is the goal of communication and education achievable, but each member becomes even more valuable.

Additional Prioritized Needs Request

Accounting Unit 1004

The Additional Prioritized Needs Request of \$1,511 for FY 22 and FY \$1,508 for FY 23 represents the increases as received from DoIT to cover the latter's costs/expenses as transferred to the GCD.

Accounting Unit 1006 (100% Federal Funds)

The Additional Prioritized Needs Request of \$518 for FY 22 and \$517 for FY 23 represents the increases as received from DoIT to cover the latter's costs/expenses as transferred to the GCD.

Brief Synopsis of GCD Initiatives and Plans

- Continued education about STABLE NH
- Continued collaboration with sister agencies such as DAS, DOE, DES, to assist in ADA education and compliance;
- Continued outreach via educational seminars;
- Provide staff training in relevant areas to maximize their efficiency;
- Increase of site visits of state owned properties and public sector to educate and insure compliance with ADA;
- Continued research of additional grant funded opportunities;
- Continued re-focus of committees to be more in line with statutes that governs the GCD core functions; and,
- Provide educational workshops for fees, perhaps with the granting of authorized continuing education units.