



NH 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 Operating Budget Hearing

Date: November 29, 2022

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 16 gubernatorial appointed commission 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.

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 strives for *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 FY2024 and FY2025 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 804 NH accounts, with \$6.1 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 \$55,000.00 for FY2023 for the housing of the SILC Program Assistant and related activities. Other funding in the amount of \$35,000.00 for FY2023 to cover expenses related to the SILC itself is also available. The GCD anticipates that a new contract with NH DOE for FY2024 and FY2025 will mirror prior contracts and funding years.

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 \$18,667.00 for FY2023 and \$4,000.00 for a portion of FY2024. NE ADA receives federal funding on a 5-year grant cycle, and NE ADA is

the middle of its grant funding. Although the GCD is unable to determine funding for the remainder of FY2024 and FY2025, by way of reference, the GCD received \$16,000.00 for FY2022 and \$16,801.00 for FY2021. 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 \$96,000.00 (from the PUC's telecommunications relay service trust fund) each fiscal year, of which up to \$92,250.00 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 \$31,500.00 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 six (6) full time employees (including the Executive Director) and one (1) 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).

There is one (1) vacancy at the GCD, and the Supplemental Job Description for the Accessibility Specialist should post within the coming week or so. There are no unfunded positions at the GCD.

FY2024/2025 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. We suggest that the Efficiency Budget in each year of the biennium is in line with the actual expenses of FY2022, (except for personnel costs and benefits) and the FY2023 Adjusted Authorized Budget.

The GCD did not increase its General Funds beyond the 3% of the adjusted authorized amount for FY2023 in FY2024 and FY2025. In each year of the biennium budget, the GCD General Funds request totaled well below the target amount. Although there were some increases beyond salaries and benefits within the efficiency budget, all are necessary as a cost of doing business and are within the requested targeted amounts.

Additional Prioritized Needs Request

Accounting Unit 1004

Class 027

The Additional Prioritized Needs Request of \$7,117.00 for FY2024 and \$3,381.00 for FY2025 represents the increases as received from DoIT to cover the latter's costs/expenses as transferred to the GCD, as well as the costs incurred should the request for a part-time position be approved, as further explained below.

Classes 050 & 060

The Additional Prioritized Needs Requests of \$31,427.00 for FY2024/\$34,335.00 for FY2025 (salary) and \$2,470.00 for FY2024/\$2,699.00 for FY2025 (benefits) represent a request for a Part Time Class 50 position (\$20.84 per hour, not to exceed 29 hours, Labor Grade 19, Step 1).

By way of brief background, in 2018 The GCD formed the Workforce Focus Group (WFG) with various invited stakeholders at the table (one of which was the NH Division of Personnel) to examine the State's hiring protocols. Meeting through 2019, a project draft was completed in 2020. One of the key findings from this effort was the recognized need for an Americans with Disabilities Act (ADA) Coordinator. Taking this from a concept to reality, the GCD has continued its discussions with the Director of NH DOP and each agency envisions collaborating to make the State of NH a model employer.

BRIEF SYNOPSIS OF GCD INITIATIVES AND PLANS

- Continued education about NH's ABLE Savings Program;
- 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 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.

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.

The GCD consistently grows 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.