

# **COLORADO COMMISSION FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED**



## **ANNUAL REPORT 2010**



**Colorado Department of Human Services**  
*people who help people*

STATE OF COLORADO  
Bill Ritter, Jr., Governor

DEPARTMENT OF HUMAN SERVICES  
Karen L. Beye, Executive Director

EMPLOYMENT AND REGULATORY AFFAIRS  
Jenise May, Director

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Mary V. McGhee, Director

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WHO ARE BLIND OR VISUALLY IMPAIRED  
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### **REPORT AND RECIPIENTS**

This report has been prepared and is being respectfully submitted pursuant to Section 26-8.7-106 (g) (3) C.R.S. (See Attachment 1).

The statute directs that this report be submitted to the following:

- Governor Bill Ritter, Jr.
- The Health and Human Services Committee of the Colorado House of Representatives
- The Health and Human Services Committee of the Colorado Senate
- The Independent Living Council in the Division of Vocational Rehabilitation, Colorado Department of Human Services

The purpose of the annual report as identified in statute is to submit recommendations regarding the topics identified below, including recommendations for proposed legislation.

This report describes the work of the Commission in its third year of operation including their revised Strategic plan, their focus on needs assessment and identification of gaps in service for individuals who are blind or visually impaired, beginning efforts to develop a centralized and comprehensive information and referral resource for individuals who are blind or visually impaired and to provide provider and community education. The Commission is committed to accomplishing this work, much of which can be done without additional expenditures and will positively influence quality of life for individuals who are blind or visually impaired in Colorado.

### **CREATION, POWERS AND DUTIES**

The Colorado Commission for Individuals Who Are Blind or Visually Impaired (CCIBVI) was created pursuant to House Bill 07-1274 to make recommendations concerning the provision of services to aid individuals who are blind or visually impaired in Colorado. The CCIBVI is a Type 2 transfer agency placed in the Department of Human Services. Its statutory duties include:

- To make recommendations regarding the provision of Vocational Rehabilitation Services to individuals who are blind or visually impaired, pursuant to Section 101 of the Federal "Rehabilitation Act of 1973", 29 U.S.C. sec.701, et seq.;
- To make recommendations concerning the provision of independent living services for individuals who are blind or visually impaired, including services for older individuals who are blind or visually impaired, pursuant to Title VII of the federal "Rehabilitation Act of 1973", 29 U.S.C. sec. 701 et seq., and article 8.1 of this title concerning independent living services;

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- To make recommendations concerning pre-vocational and other training to prepare individuals who are blind or visually impaired for vocational training, job placement, and independence;
- To make recommendations concerning responsibilities of and evaluations of business enterprise programs for individuals who are blind or visually impaired, pursuant to the federal "Randolph-Sheppard Act", 20 U.S.C. sec. 107, and article 8.5 of this title;
- To make recommendations concerning responsibilities for developing and administering any other program that will further the provision of services to individuals who are blind or visually impaired;
- To serve as a liaison between the blind and visually impaired community and the General Assembly, Governor, Colorado State Department of Human Services and state agencies. The Commission serves as an information resource and makes recommendations concerning the provisions of vocational rehabilitation, independent living services, pre-vocational and other training, and evaluates business enterprise programs.

### **COMMISSION MEMBERSHIP**

#### **Commission Chairperson:**

- Kevan Worley of Colorado Springs, Colorado, an individual who is a licensed blind manager involved in the federal Randolph-Sheppard program.

#### **Commission Vice-Chairperson:**

- Dr. Nalin J. Mehta of Golden, Colorado, an ophthalmologist, low-vision optometrist, or other qualified low-vision specialist.

#### **Commissioners**

- Barbara Hopke Boyer of Arvada, Colorado, a representative of an organization for individuals who are blind or visually impaired, and who represents a national organization that is part of an advocacy group for individuals who are blind or visually impaired.
- Michelle L. Chacon of Arvada, Colorado, an individual who is blind or visually impaired and who is living independently.
- Dr. Kara S. Hanson of Aurora, Colorado, a professional who works directly with seniors who are blind or visually impaired.
- Scott C. LaBarre of Denver, Colorado, a representative of an organization for individuals who are blind or visually impaired, and who represents a national organization that is part of an advocacy group for individuals who are blind or visually impaired.

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- Kenneth J. Schmidt of Littleton, Colorado, Designee of the Executive Director of the Department of Human Services.
- Arielle Silverman, of Boulder, Colorado, a young adult who is blind or visually impaired.
- Penny Sue Street of Loveland, Colorado, an individual who is blind or visually impaired and who uses a service dog.
- Evelyn Tileston of Craig, Colorado, a representative of an independent living center.
- Charlie Watson, of Denver, Colorado, a senior who is blind or visually impaired.
- Mark N. Wedgle of Westminster, Colorado, an individual who is blind or visually impaired and who is also deaf.

The following Commissioners completed their terms and resigned in August and September of this year. They have assisted the Commission with recruitment of new applicants for their respective positions.

- David E. Bolin of Broomfield, Colorado, a representative of an organization for individuals who are blind or visually impaired, and who represents veterans who are blind or visually impaired.
- Julie M. Hunter of Denver, Colorado, a parent of a child who is blind or visually impaired.
- Julia M. Zanon of Denver, Colorado, a vocational rehabilitation counselor who works with individuals who are blind or visually impaired.

### **COMMISSION VACANCIES**

There are currently several expired positions and vacancies on the Commission. Eight Commissioner's terms expired on September 1, 2010. Five of those Commissioners have applied for re-appointment. Three Commissioners decided not to re-apply and resigned after completing their terms. Commissioners unanimously recommended that the five sitting Commissioners who are applying for re-appointment be reappointed and initiated a broad call for applications for the vacant Commission positions. All Commissioners assisted by distributing it to their respective constituency groups. The Commissioner's recommendations have been submitted to the Governor.

### **STAFFING**

In order to ensure that the CCIBVI could begin its work in a timely manner and be

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involved in assisting the Department with the hiring of a permanent Administrator, temporary and contract staff were utilized by the Department to work with the Commission when it began. In September 2009, the Department, in consultation with the Commission pursuant to Section 26-8.7-105 (2), C.R.S., hired a permanent Administrator to support the Commission in its work.

### **MEETINGS AND ACCOMPLISHMENTS OF THE COMMISSION**

In 2010, the Commission held full Commission meetings on February 17, May 19, August 18 and November 17. The February meeting focused on education regarding the needs of individuals who have vision impairments and the services and supports available to them in Colorado and on updating their Strategic Plan and developing a process for addressing their work in the future. A copy of that plan is attached to this report (See Attachment 2). During their May meeting, the Commission formed working Committees to address priorities identified in their Strategic Plan, including Outreach to Underserved Individuals, Medical Outreach, Statewide Needs Assessment and Statewide Comprehensive Information and Referral Website Development. In August, the Commission instituted regular updates from all major programs serving their constituency groups in the state, began the Development of their Recommendations for this Report, identifying the most pressing needs of individuals who are Blind and Visually Impaired in our State and finalized their recommendations for upcoming Commission Appointments. The November meeting was primarily focused on honing these Recommendations for addressing the needs of individuals who are Blind or visually impaired in our State.

In addition, Commission staff is serving on the Judicial Branch's Americans with Disabilities Act (ADA) Advisory Committee to assist with developing appropriate accommodations for individuals who are blind or visually impaired and involved in the courts. Staff is also working with CDHS HR staff to train human resources staff regarding appropriate accommodation in the hiring process for individuals who are Blind or Visually Impaired. Staff also served on the Funding Committee for the Older Individuals Who Are Blind Program.

### **RECOMMENDATIONS**

Commissioners are willing and available to assist policy makers with problem solving regarding implementation of any of their recommendations, should they be needed.

- I. That accessible public transportation be made available throughout the State in both urban and rural areas to ensure that individuals who are blind or visually impaired have equal access to transportation. This will support both independence and employability for these citizens.**

**That the Governor and the General Assembly work together to identify a stable funding source for that public transportation.**

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Accessible transportation is currently available only in some communities and is available only on a limited basis in many communities where it is available. For individuals who are blind or visually impaired, public transportation is not a choice, but a basic need. When public transportation is not available, many of these citizens cannot work or access basic services. Lack of transportation threatens their independence and makes it more likely that they will become dependent on the State for basic support. Funding for accessible transportation could be developed utilizing a minimal sales tax.

### **II. That services and supports for employment and employment readiness programs for individuals who are blind or visually impaired be substantially increased. These services and supports should include vocational rehabilitation, job development, pre-vocational training and services for adults and teens approaching employment age.**

It is estimated that over 70% of adults who are Blind are unemployed. People with visual impairments also have much higher unemployment rates than the general population. Lack of employment and training for employment readiness skills leave people who are blind or visually impaired dependent on the State for financial support, decrease their quality of life and rob the State of competent and gifted workers.

Existing services, while very helpful to those who can access them, are not fully meeting the needs of this population. The Colorado Department of Human Services, Division of Vocational Rehabilitation recently reduced the waiting list for VR Services to zero. This is a result of commendable planning and use of ARRA dollars by the Division and it has been a step in the right direction. However, due to limited availability of teachers and Vocational Rehabilitation Counselors, consumers often have lengthy waiting periods before approved services can be provided. Commissioners understand that there have been very real problems with timely hiring due to the economy and periodic hiring freezes in the Department. They also are aware that there is a shortage of skilled providers in Colorado and that the State is applying for a waiver to be able to hire qualified providers from other areas.

In the interim, Commissioners recommend some additional options to assist with timely provision of service to blind and visually impaired consumers. The Division of Vocational Rehabilitation could contract with other existing service providers such as Independent Living Centers and other independent programs providing service to this population to provide the needed services. These programs are generally private, not for profit entities and are not constrained regarding extremely time-consuming hiring practices the say the State is. Consequently, these programs could hire additional staff quickly, or extend hours for existing staff and begin providing needed services very quickly. Another option would be for the Division of Vocational Rehabilitation to hire additional administrative staff to do the extensive

paperwork required of Vocational Rehabilitation Counselors and Teachers. This could potentially free Counselors and Teachers to provide more direct contact, and services, for consumers.

**III. Ensure that Medicaid dollars spent for Home and Community Based Services through the Waiver programs support independence and prevent nursing home or other institutional placements for individuals who are blind or visually impaired.**

This recommendation will support independence and enhance quality of life for individuals who are blind or visually impaired. Due to the high cost of nursing home and other institutional placements, it will also result in cost savings for the State. Existing waiver services include supports for independence. However, consumers cannot remain independent in the community without accessible, affordable housing options, which are extremely limited in many areas of the State. The Commission encourages HCBS Waiver staff and HCBS providers to work closely with housing providers to identify existing housing options and to partner to develop new options for affordable, accessible housing and subsidies when necessary, for Waiver recipients.

**IV. That dollars allocated for services to individuals who are blind or visually impaired follow the individual who needs services rather than making them re-apply for a series of differing programs and services to meet their varying needs.**

The Commission understands that the Department of Health Care Policy and Financing (HCPF) is applying for a grant to allow allocated dollars from Medicaid Waiver Programs to follow the individual within the Medicaid system rather than requiring re-application. The Commission wholeheartedly supports the State applying for this grant and congratulates HCPF for taking this important step.

Ultimately, the Commission would like to see this concept applied across Departments and Programs in our State. The Commission understands that this would require extensive, long range planning on the part of multiple Departments. The Commission encourages policy makers to move toward one application for all State funded services and that once approved, dollars would follow the needs of the consumer, rather than the consumer responding to the needs of differing funding streams for all of their necessary services.

**V. That all State websites be made fully accessible to Blind and Visually Impaired users. This includes making all information and documents available in formats that can be understood and read by all types of adaptive software and allowing all forms and documents to be completed online. These adaptations will allow all blind and visually impaired citizens full access to**

**information about their State government and its programs. They will also allow blind and visually impaired citizens to function as independent adults in their interactions with State agencies rather than being dependent on sighted individuals for assistance.**

**This Recommendation was made last year and the difficulty of inconsistent accessibility has not been addressed. While the Commission recognizes that changes take time, the fact that many documents and parts of websites remain inaccessible to citizens who are blind or visually impaired is not acceptable to Commissioners. They strongly recommend the State to bring all websites and public documents into compliance with the State's current Standards and the Americans with Disabilities Act, identified below.**

The Commission has identified through personal experience and received feedback from multiple constituents that State websites, and documents on those websites, are inconsistent in their accessibility to blind and visually impaired users. This inconsistency provides unequal access to State Government and programs for many individuals who are blind or visually impaired.

Commissioners understand the complexity of bringing all State websites and electronic documents to full accessibility, and they are aware of budget constraints that exist in the current economic environment. They are also aware of existing strengths in Colorado government that would allow this recommendation to be addressed without substantial additional expenditure. Since many of Colorado's websites and documents are already fully accessible, the knowledge and ability to provide fully accessible electronic communication clearly exists in current State staff. Colorado has existing IT accessibility standards, "ADA IT Accessibility Standards for the Blind and Visually Impaired and IT Accessibility Procurement Criteria," published by the State of Colorado ADA Standards Work Committee. These Standards were initially adopted in 2001 and revised in 2005, requiring electronic information in Colorado to be accessible to individuals who are blind or visually impaired and giving explicit instructions for compliance. And finally, the Americans with Disabilities Act, 42 U.S.C. §§ 12101 et seq., requires it. Creating electronic accessibility for individuals who are blind or visually impaired is addressed by changing how information is presented with existing software and technology. It does not require expensive new hardware or software. Additionally, the Commission, among its various members, has substantial expertise in this arena, and Commissioners are willing to provide assistance in achieving their recommendation if it would be helpful to the State.

#### **ATTACHMENTS**

Attachment 1: HB 07-1274 Enabling Legislation for the Commission



Attachment 2: CCIBVI Strategic Plan

**HOUSE BILL 07-1274**

BY REPRESENTATIVE(S) Rice, Borodkin, Carroll M., Kerr A., Labuda, Madden, Mitchell V., Peniston, Todd, Frangas, and McGihon; also SENATOR(S) Williams, Boyd, Hagedorn, and Windels.

CONCERNING THE CREATION OF A COMMISSION FOR THE VISUALLY IMPAIRED, AND MAKING AN APPROPRIATION THEREFOR.

**Be it enacted by the General Assembly of the State of Colorado:**

**SECTION 1.** Title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 8.7**

**Colorado Commission for Individuals**

**Who Are Blind or Visually Impaired**

**26-8.7-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO COMMISSION FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED ACT"<sup>1</sup>.

**26-8.7-102. Legislative declaration.** THE GENERAL ASSEMBLY RECOGNIZES THE NEED FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED TO HAVE ACCESS TO SERVICES BENEFITTING INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED. THE GENERAL ASSEMBLY THEREFORE DECLARES THAT THE ESTABLISHMENT OF A COMMISSION TO MAKE RECOMMENDATIONS CONCERNING THE PROVISION OF SERVICES TO AID INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED IS IN THE BEST INTERESTS OF THE CITIZENS OF COLORADO.

**26-8.7-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADMINISTRATOR" MEANS AN INDIVIDUAL HIRED BY THE DEPARTMENT, SUBJECT TO AVAILABLE APPROPRIATIONS, TO PROVIDE ADMINISTRATIVE SUPPORT TO THE COMMISSION AND TO ENSURE THAT THE COMMISSION'S ACTIVITIES ARE CONSISTENT WITH APPLICABLE STATE STATUTES, REGULATIONS, AND POLICIES.

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<sup>1</sup> Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

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(2) "BLIND OR VISUALLY IMPAIRED" MEANS AN INDIVIDUAL WHO:

(a) HAS A VISUAL ACUITY OF 20/200 OR LESS IN THE BETTER EYE WITH CORRECTIVE LENSES OR HAS A LIMITED FIELD OF VISION SO THAT THE WIDEST DIAMETER OF THE VISUAL FIELD SUBTENDS AN ANGLE NO GREATER THAN TWENTY DEGREES; OR

(b) HAS A MEDICALLY DIAGNOSED LIMITATION IN VISUAL FUNCTIONING THAT RESTRICTS THE INDIVIDUAL'S ABILITY TO READ AND WRITE STANDARD PRINT AT LEVELS EXPECTED OF INDIVIDUALS OF COMPARABLE ABILITY.

(3) "COMMISSION" MEANS THE COLORADO COMMISSION FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED CREATED IN SECTION 26-8.7-104.

(4) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN SERVICES.

**26-8.7-104. Commission created - appointments.** (1) EFFECTIVE SEPTEMBER 1, 2007, THERE IS HEREBY CREATED IN THE STATE DEPARTMENT THE COLORADO COMMISSION FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED THAT SHALL SERVE AS AN ADVISORY COMMITTEE. THE COMMISSION SHALL EXERCISE ITS POWERS, DUTIES, AND FUNCTIONS UNDER A **TYPE 2** TRANSFER UNDER THE PROVISIONS OF THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24, C.R.S.

(2) THE COMMISSION SHALL CONSIST OF NO MORE THAN FIFTEEN MEMBERS, INCLUDING:

(a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR HIS OR HER DESIGNEE;

(b) AN INDIVIDUAL WHO IS BLIND OR VISUALLY IMPAIRED AND WHO IS ALSO DEAF;

(c) THREE MEMBERS WHO REPRESENT ORGANIZATIONS FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED, NO MORE THAN ONE OF WHOM SHALL BE FROM THE SAME ORGANIZATION. AT LEAST TWO MEMBERS SHALL REPRESENT NATIONAL ORGANIZATIONS THAT ARE PART OF ADVOCACY GROUPS FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY

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IMPAIRED AND AT LEAST ONE MEMBER SHALL REPRESENT VETERANS WHO ARE BLIND OR VISUALLY IMPAIRED.

(d) AN INDIVIDUAL WHO IS A LICENSED BLIND MANAGER INVOLVED IN THE FEDERAL RANDOLPH-SHEPPARD PROGRAM;

(e) AN INDIVIDUAL WHO IS BLIND OR VISUALLY IMPAIRED AND WHO USES A SERVICE DOG;

(f) A REPRESENTATIVE OF AN INDEPENDENT LIVING CENTER AS DEFINED IN SECTION 26-8.1-102;

(g) A PROFESSIONAL FROM EACH OF THE FOLLOWING PROFESSIONS WHO SPECIALIZES IN LOW-VISION AND WHO WORKS WITH INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED:

(I) AN OPHTHALMOLOGIST, LOW-VISION OPTOMETRIST, OR OTHER QUALIFIED LOW-VISION SPECIALIST;

(II) A VOCATIONAL REHABILITATION COUNSELOR WHO WORKS WITH INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED; AND

(III) A PROFESSIONAL WHO WORKS DIRECTLY WITH SENIORS WHO ARE BLIND OR VISUALLY IMPAIRED, SUCH AS A GERONTOLOGIST, GERIATRIC SPECIALIST, OCCUPATIONAL THERAPIST, OR AN OTHERWISE-QUALIFIED PROFESSIONAL WHO SPECIALIZES IN AGING AND WHO WORKS WITH INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED;

(h) A YOUNG ADULT WHO IS AT LEAST EIGHTEEN YEARS OF AGE AND WHO IS ALSO BLIND OR VISUALLY IMPAIRED;

(i) A PARENT OF A CHILD WHO IS BLIND OR VISUALLY IMPAIRED;

(j) A SENIOR WHO IS BLIND OR VISUALLY IMPAIRED; AND

(k) AN INDIVIDUAL WHO IS BLIND OR VISUALLY IMPAIRED AND WHO IS LIVING INDEPENDENTLY.

(3) (a) THE GOVERNOR SHALL APPOINT THE COMMISSION MEMBERS, WHO SHALL REPRESENT DIFFERENT REGIONS OF THE STATE, DESCRIBED IN SUBSECTION (2) OF THIS SECTION. THE GOVERNOR SHALL MAKE THE INITIAL APPOINTMENTS ON OR BEFORE SEPTEMBER 1, 2007. SEVEN OF THE COMMISSION MEMBERS DESIGNATED BY THE GOVERNOR SHALL SERVE

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INITIAL TERMS OF TWO YEARS, AND EIGHT MEMBERS SHALL SERVE INITIAL TERMS OF THREE YEARS. AFTER THE INITIAL APPOINTMENTS OF THE COMMISSION MEMBERS DESCRIBED IN SUBSECTION (2) OF THIS SECTION, ALL SUBSEQUENT MEMBERS SHALL SERVE TERMS OF FOUR YEARS. UPON THE EXPIRATION OF A COMMISSION MEMBER'S TERM OF OFFICE, THE COMMISSION MEMBER SHALL CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED AS PROVIDED IN SUBSECTION (4) OF THIS SECTION.

(b) IN MAKING APPOINTMENTS TO THE COMMISSION, THE GOVERNOR SHALL ENSURE THAT:

(I) AT LEAST EIGHT MEMBERS OF THE COMMISSION ARE BLIND OR VISUALLY IMPAIRED; AND

(II) NO GROUP, PROVIDER, OR ORGANIZATION SHALL HAVE MORE THAN TWO REPRESENTATIVES ON THE COMMISSION.

(c) THE GOVERNOR SHALL APPOINT A QUALIFIED PERSON TO FILL ANY VACANCY ON THE COMMISSION FOR THE REMAINDER OF ANY UNEXPIRED TERM. IF THE GOVERNOR DOES NOT APPOINT A PERSON TO FILL THE VACANCY WITHIN SIXTY DAYS AFTER THE DATE THE VACANCY ARISES, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE, WITHIN NINETY DAYS AFTER THE DATE THE VACANCY ARISES, SHALL JOINTLY APPOINT A QUALIFIED PERSON TO FILL THE VACANCY. IF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE DO NOT APPOINT A PERSON TO FILL THE VACANCY WITHIN THE NINETY-DAY PERIOD, THE COMMISSION, BY A MAJORITY VOTE, SHALL APPOINT A QUALIFIED PERSON TO FILL THE VACANCY.

(4) AT LEAST NINETY DAYS PRIOR TO THE EXPIRATION OF A MEMBER'S TERM OF OFFICE, THE COMMISSION SHALL CREATE A LIST OF CANDIDATES THAT INCLUDES AT LEAST THREE CANDIDATES FOR EACH OPEN POSITION PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE CANDIDATES' NAMES SHALL BE SUBMITTED TO THE GOVERNOR AT LEAST FORTY-FIVE DAYS PRIOR TO THE EXPIRATION OF THE PRECEDING TERM FOR WHICH THE CANDIDATES ARE BEING CONSIDERED. IF THE GOVERNOR APPROVES THE CANDIDATES, THE GOVERNOR SHALL APPOINT ONE OF THE CANDIDATES FROM EACH LIST FOR EACH OPEN POSITION WITHIN NINETY DAYS AFTER THE DATE OF EACH VACANCY; IF THE GOVERNOR DOES NOT APPROVE ANY OF THE CANDIDATES FROM THE LISTS FOR THE OPEN POSITION, THEN THE GOVERNOR SHALL APPOINT QUALIFIED PERSONS.

**26-8.7-105. Procedures of the commission.** (1) (a) AT THE FIRST MEETING, AND ANNUALLY THEREAFTER, THE COMMISSION SHALL ELECT A CHAIR AND VICE-CHAIR FROM AMONG ITS MEMBERS.

(b) THE COMMISSION MAY ADOPT SUCH RULES OF PROCEDURE AS ARE NECESSARY TO FACILITATE ORDERLY CONDUCT OF ITS BUSINESS.

(c) THE COMMISSION SHALL MEET AT LEAST QUARTERLY. MEETINGS SHALL BE HELD ON THE CALL OF THE CHAIR OR AT THE REQUEST OF AT LEAST FIVE MEMBERS OF THE COMMISSION.

(d) THE COMMISSION SHALL ADOPT NO OFFICIAL POSITION, RECOMMENDATION, OR ACTION EXCEPT BY THE CONCURRENCE OF A MAJORITY OF THE MEMBERS.

(2) THE DEPARTMENT SHALL APPOINT AN ADMINISTRATOR TO PROVIDE STAFF SERVICES TO THE COMMISSION. THE COMMISSION MAY INTERVIEW CANDIDATES AND PROVIDE COMMENTS ON THE HIRING OF THE ADMINISTRATOR.

(3) MEMBERS OF THE COMMISSION SHALL RECEIVE A PER DIEM REIMBURSEMENT NOT TO EXCEED FIFTY DOLLARS PER DAY AND DIRECT REIMBURSEMENT FOR ANY TRAVEL EXPENSES INCURRED TO ATTEND COMMISSION MEETINGS.

**26-8.7-106. Powers, functions, and duties of the commission.**

(1) THE POWERS, FUNCTIONS, AND DUTIES OF THE COMMISSION SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

(a) TO MAKE RECOMMENDATIONS CONCERNING THE PROVISION OF VOCATIONAL REHABILITATION SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED, PURSUANT TO SECTION 101 OF THE FEDERAL "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701, ET SEQ.;

(b) TO MAKE RECOMMENDATIONS CONCERNING THE PROVISION OF INDEPENDENT LIVING SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED, INCLUDING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED, PURSUANT TO TITLE VII OF THE FEDERAL "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701, ET SEQ., AND ARTICLE 8.1 OF THIS TITLE CONCERNING INDEPENDENT LIVING SERVICES;

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(c) TO MAKE RECOMMENDATIONS CONCERNING PRE-VOCATIONAL AND OTHER TRAINING TO PREPARE INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED FOR VOCATIONAL TRAINING, JOB PLACEMENT, AND INDEPENDENCE;

(d) TO MAKE RECOMMENDATIONS CONCERNING RESPONSIBILITIES OF AND EVALUATIONS OF BUSINESS ENTERPRISE PROGRAMS FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED, PURSUANT TO THE FEDERAL "RANDOLPH-SHEPPARD ACT", 20 U.S.C. SEC. 107, AND ARTICLE 8.5 OF THIS TITLE;

(e) TO MAKE RECOMMENDATIONS CONCERNING RESPONSIBILITIES FOR DEVELOPING AND ADMINISTERING ANY OTHER PROGRAM THAT WILL FURTHER THE PROVISIONS OF SERVICES TO INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED;

(f) TO SERVE AS A LIAISON BETWEEN THE BLIND AND VISUALLY IMPAIRED COMMUNITY AND THE GENERAL ASSEMBLY, THE GOVERNOR, AND COLORADO STATE DEPARTMENTS AND AGENCIES; AND

(g) TO SERVE AS AN INFORMATION RESOURCE TO THE STATE AND THE BLIND AND VISUALLY IMPAIRED COMMUNITY.

(2) WHEN MAKING ITS RECOMMENDATIONS, THE COMMISSION SHALL ADDRESS FISCAL IMPACT, POSSIBLE FUNDING MECHANISMS, AND THE MAXIMIZATION AND DISTRIBUTION OF FEDERAL AND STATE DOLLARS.

(3) ON OR BEFORE DECEMBER 1, 2008, AND ON OR BEFORE EACH DECEMBER 1 THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT WITH

ITS RECOMMENDATIONS INCLUDING PROPOSED LEGISLATION, IF NECESSARY, TO THE GOVERNOR, HEALTH AND HUMAN SERVICES COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEES, AND THE STATE INDEPENDENT LIVING COUNCIL WITHIN THE DIVISION OF VOCATIONAL REHABILITATION IN THE DEPARTMENT OF HUMAN SERVICES.

**26-8.7-107. Repeal of article.** (1) THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2012.

(2) PRIOR TO THE REPEAL, THE COMMISSION SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

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**SECTION 2.** 24-1-120 (5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**24-1-120. Department of human services - creation - repeal.** (5) The department of human services shall include the following:

(I) (I) THE COLORADO COMMISSION FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED, CREATED IN ARTICLE 8.7 OF TITLE 26, C.R.S. THE COMMISSION AND ITS POWERS, DUTIES, AND FUNCTIONS ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF HUMAN SERVICES.

(II) THIS PARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2012.

**SECTION 3.** 2-3-1203 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(y) JULY 1, 2012: THE COLORADO COMMISSION FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED, CREATED IN ARTICLE 8.7 OF TITLE 26, C.R.S.

**SECTION 4.** 40-17-104 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**40-17-104. Colorado disabled telephone users fund - creation -purpose.** (4) (d) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, THE GENERAL ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS FROM THE COLORADO DISABLED TELEPHONE USERS FUND TO COVER AUTHORIZED EXPENSES ASSOCIATED WITH THE COLORADO COMMISSION FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED, CREATED IN ARTICLE 8.7 OF TITLE 26, C.R.S. ANY ANNUAL APPROPRIATION MADE FROM THE COLORADO DISABLED TELEPHONE USERS FUND BY THE GENERAL ASSEMBLY SHALL NOT EXCEED AN AMOUNT OF ONE HUNDRED TWELVE THOUSAND SIXTY-SEVEN DOLLARS.

**SECTION 5. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado disabled telephone users cash fund created in section 40-17-104, Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, public utilities commission, for the fiscal year



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beginning July 1, 2007, the sum of ninety-five thousand one hundred fifty-two dollars (\$95,152), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for allocation to the division of vocational rehabilitation, for the fiscal year beginning July 1, 2007, the sum of ninety-five thousand one hundred fifty-two dollars (\$95,152), cash funds exempt, and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from cash funds exempt received from the department of regulatory agencies, public utilities commission out of the appropriation made in subsection (1) of this section.

**SECTION 6. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 8, 2007, if adjournment sine die is on May 9, 2007); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

\_\_\_\_\_  
Andrew Romanoff  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Joan Fitz-Gerald  
PRESIDENT OF  
THE SENATE

\_\_\_\_\_  
Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO

**Colorado Commission  
for Individuals Who Are Blind or Visually Impaired**

**STRATEGIC PLAN  
Revised February 2010**

**I. THE COMMISSION WILL IDENTIFY EXISTING SERVICES AND RESOURCES IN THE FOLLOWING AREAS AND ANALYZE THEIR AVAILABILITY AND GAPS IN THEIR ABILITY TO MEET THE PUBLIC NEEDS:**

- VOCATIONAL REHABILITATION
- INDEPENDENT LIVING SERVICES, INCLUDING SERVICES FOR OLDER INDIVIDUALS
- PRE-VOCATIONAL TRAINING AND SERVICES INCLUDING JOB PLACEMENT
  - BUSINESS ENTERPRISE PROGRAMS
    - TRANSPORTATION
    - EMPLOYMENT
  - PUBLIC AWARENESS REGARDING THE AVAILABILITY OF SERVICES
    - INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED (ESPECIALLY THOSE NOT CURRENTLY BEING SERVED)
    - PHYSICIANS, OPHTHALMOLOGISTS AND OPTOMETRISTS
      - DEAF-BLIND SERVICES
      - VOTING
- ADEQUATE MEDICAL EYE CARE INCLUDING EYE EXAMS, LOW VISION EVALUATION AND CARE, MEDICAL TREATMENT AND SURGERY

**A. LETTER COMMITTEE:**

**CHAIR: COMMISSIONER MEHTA.**

**MEMBERS: COMMISSIONERS TILESTON, LABARRE, BOYER AND HANSON.**

**TASK: DEVELOP A LETTER THAT CAN BE USED TO CONTACT EACH IDENTIFIED SERVICE PROVIDER OR RESOURCE REQUESTING INFORMATION REGARDING THE NATURE AND AVAILABILITY OF THEIR SERVICES, COSTS AND MET AND UNMET NEEDS.**

**B. LIST COMMITTEE:**

**CHAIR: COMMISSIONER WORLEY**

**MEMBERS: COMMISSIONERS CHACON, HUNTER, BOLIN, BOYER, ZANON, AND WEDGLE.**

**TASK: DEVELOP A LIST OF SERVICE PROVIDERS AND RESOURCE PROGRAMS TO CONTACT USING THE LETTER DEVELOPED BY THE LETTER COMMITTEE. BEGIN WITH EXISTING RESOURCE LISTS OBTAINED DURING THE PREVIOUSLY RECEIVED TRAINING.**

**C. STAFF:**

- WORK WITH DR. FLAMING TO DEVELOP SURVEY INSTRUMENT.**
- CONDUCT TEST SURVEY WITH COMMISSION.**
- REVISE AND DISTRIBUTE SURVEY THROUGH SEARCH ENGINE.**
- COMPILE AND ANALYZE RETURNED INFORMATION FOR COMMISSION REVIEW.**

**D. COMMISSION: REVIEW INFORMATION FOR THE FOLLOWING PURPOSES:**

- i. IDENTIFY SERVICES AND RESOURCES TO PLACE ON THE WEBSITE RESOURCE LIST.**
- ii. IDENTIFY UNMET NEEDS OR UNDER SERVED AREAS OR GROUPS.**
- iii. DETERMINE WHETHER FOLLOW-UP NEEDS ASSESSMENT THROUGH PUBLIC MEETINGS OR OTHER MEANS IS WARRANTED.**
- iv. IDENTIFY WHAT AREAS COULD BENEFIT FROM INFORMATION ABOUT HOW THEY ARE ADDRESSED IN OTHER STATES.**
- v. CONSIDER WHETHER RECOMMENDATIONS PURSUANT TO THE COMMISSION'S STATUTORY CHARGES ARE WARRANTED.**

**II. CREATE A WEBSITE TO SERVE AS A CENTRAL LOCATION FOR INFORMATION ABOUT SERVICES AND RESOURCES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED. THE WEBSITE AND ALL POSTED INFORMATION WILL BE FULLY ACCESSIBLE TO INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED.**

**A. STAFF**

- i. MEET WITH TECHNICAL EXPERTS TO IDENTIFY WHAT IS NEEDED TO BEGIN THE SITE AND HOW TO ADD INFORMATION AS THE NEEDS ASSESSMENT PROCEEDS.**
- ii. INTERFACE WITH THE DEPARTMENT AND TECHNICAL EXPERTS TO BEGIN THE SITE AND EXPAND THE POSTINGS AS APPROVED BY THE COMMISSION.**

**B. COMMISSION**

- i. IDENTIFY MATERIAL TO BE POSTED ON THE SITE.**
- ii. REVIEW AND APPROVE DRAFT MATERIAL PROVIDED BY STAFF.**
- iii. IDENTIFY LINKS TO OTHER SERVICES THAT WOULD BENEFIT THE PUBLIC.**

**III. DEVELOP A PUBLIC AWARENESS EDUCATION CAMPAIGN TARGETING THE FOLLOWING GROUPS:**

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- A. OUTREACH TO INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED AND WHO ARE NOT RECEIVING SERVICES OR WHO ARE UNDER – RESOURCED.**
- B. PROVIDE INFORMATION TO PHYSICIANS, OPHTHALMOLOGISTS AND OPTOMETRISTS REGARDING CURRENT RESOURCES SO THEY ARE ABLE TO MORE FULLY MEET THEIR PATIENT’S NEEDS.**
- C. EDUCATE THE GENERAL PUBLIC, INCLUDING OTHER STATE AGENCIES, ABOUT THE NEEDS OF INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED TO IMPROVE ACCESS FOR THOSE INDIVIDUALS AND TO ENSURE FAIR TREATMENT.**