



**TRIPIL**  
**69 East Beau Street**  
Washington, PA 15301  
(724) 223-5115 (voice/TTY)

Prepared by Kathleen Kleinmann, Chief Executive Officer  
Tri-County Patriots for Independent Living, September 13, 2010  
PA House Committee Hearing

**Summary:** The Governor and PA State Legislature appropriate State funds without any Federal matching funds as grants to bonafide Centers for Independent Living (CIL) under Act 139 of 1994. These grants provide an opportunity for local people with disabilities to operate a "self-help" community program under a non-profit structure controlled and operated by local people with disabilities. The board of directors and management devise a work plan according to needs assessments and other data. The state money is frequently supplemented by other grants and funding sources that the board and management are able to obtain, but the State money is the core funding that keeps the program afloat. CIL's take on a local character and can be very different from each other.

Recently, the State grants have not been received in a timely manner and control of the work plan and budget has been usurped by the Harrisburg administrative agency, Office of Vocational Rehabilitation. While it may appear OVR and CIL's are natural allies in service to the disability community, they are in fact natural adversaries.

**History:** The Independent Living Movement was started by disabled individuals who were rejected by OVR as too severely disabled to have realistic employment goals. That population continues to be the primary group who operate CIL's. The work plan of CIL leadership tends to focus on the fundamental needs of people with disabilities, such as community integration, housing, transportation, and home care services. Employment issues are often secondary to an individual's independent living plan. Furthermore, Advocacy as a Core Service of a CIL always leads to group advocacy for improvement in service programs. These



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activities can bring OVR and CIL's squarely into conflict as CIL's urge change in the OVR system itself.

Tension is typical but OVR is now attempting to wrestle control of this consumer-controlled budget and work plan grants. For 20 years, grant funds were received in advance of each month's expenses. This has been critical to small vulnerable programs. At the conclusion of the month, a report was sent to OVR noting any unspent funds and a new request for needed funding. By the 12<sup>th</sup> month of the year, all funds were already in the local community by the 11<sup>th</sup> month. A final report was provided and an independent audit was performed to certify that all funds were used in accordance with accounting rules and program objectives. The auditor reviews all correspondence and contracts from OVR and certifies that the monthly and yearly reports were truthful.

With eight CIL's at different levels of sophistication or changes in leadership, sometimes there were problems. These were identified and dealt with one by one. The local community was fully engaged in the intended state process of self-help and the responsible use of tax dollars. I believe that Act 139 was working the way the legislature intended it.

Before State Funded CIL, Pennsylvania had 6 federally funded CIL's receiving grant funds from the US Department of Education, Rehabilitation Services Administration (RSA) beginning in 1980. In fact, PA Act 139 of 1994 was modeled closely to Title VII of the Rehabilitation Act which describes the creation and operation CIL's in great detail. TRIPIIL began with PA appropriation grant in 1990 but was successful in getting a very small grant from RSA to operate a CIL in 1997.

**TRIPIL in SW PA:** TRIPIIL is the only CIL in PA to get both a Federal and a State Grant to operate a CIL, with the State funds continuing to be the larger grant. I can tell you firsthand how



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RSA awards its grant funds to CIL's. TRIPIIL submits a budget and a work plan approved by our board of directors in advance of the new year. TRIPIIL receives notice of the grant award and any adjustments in budget are filed. As grant funds are obligated or spent, TRIPIIL draws down funds from a federal website directly into our account and funds are deposited within three days of the website draw down. A final Grant Report is due within three months of the end of the fiscal year. Our independent auditor certifies that we did not draw down more money than was allowed under the rules. Periodically, RSA sends in a Grant Monitoring Team which includes individuals who currently work at another federally funded CIL to conduct a comprehensive and in-depth review the operation of the CIL as intended under the Title VII of the Rehabilitation Act. The Team issues a report of findings and deficiencies and a plan of correction is filed and refilled until it meets with the approval of the Team.

### **Major Points:**

1. CIL funds are a grant to local non-profits to design the programs and services of their choice under the options described in the law as allowable activities. The discretion on the use of funds **MUST** remain local in order to comply with the intent of the law.
2. Problems with use of funds must be examined in context with the intent of Act 139 and corrections made. This must be done on a case by case basis with both OVR and CIL understanding their custodial roles.
3. Recent demands for reporting and justification to get grant funds are burdensome and rely on non-accounting style reporting that are not in accordance with generally accepted accounting principles. PA pays for an independent audit of these grant funds, and that audit should be relied upon for determining proper use of funds.



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4. State grants should model federal grants in getting the funding to the program in a timely manner in advance of the program incurring bank fees and interest charges.
5. OVR has experienced difficulty in appreciating the grassroots nature of these grants and is now approaching these funds as typical vendor relationships or fee-for-service providers. This approach will in fact undermine the smooth operation of a community self-help group and cause harm.
6. The tension experienced is historical but has reached a critical point in PA. The legislature should consider a new government entity to deliver the grant funds appropriated by the Legislature to CILs.

Thank you for your attention to this important matter. As the Legislature of PA, you know the good work of the independent living centers around the state. We visit you often and bring local people with disabilities into full participation as citizens in the process of government and stewards of tax revenue. We look to your leadership for help in addressing our future.