



Tony Evers

Office of the Governor | State of Wisconsin

NOTICE OF HEARING

Redesignation of Client Assistance Program

The Office of the Governor of the State of Wisconsin announces that it will hold three public hearings on its intent to redesignate the U.S. Department of Education Rehabilitation Services Administration's Wisconsin Client Assistance Program (CAP) from the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) to Disability Rights Wisconsin (DRW).

The Client Assistance Program (CAP) is a federally mandated program that advises and informs clients and client-applicants of all services and benefits available to them through programs authorized by the Rehabilitation Act of 1973, 29 U.S.C. 732, as amended by the Workforce Innovation and Opportunity Act (WIOA) and title I of the Americans with Disabilities Act of 1990 (ADA), including students with disabilities under section 113 and individuals with disabilities employed at subminimum wage under section 511 of the Rehabilitation Act. In Wisconsin, these programs are provided through the Division of Vocational Rehabilitation (DVR) within the Department of Workforce Development (DWD), the Native American Vocational 121 Programs, and the Independent Living Centers. CAP is authorized by section 112 of the Rehabilitation Act and the regulations applicable to it are contained in 34 CFR 370.

Section 112 of the Rehabilitation Act establishes the goals and function of the CAP:

to provide assistance in informing and advising all clients and client applicants of all available benefits under this Act, and, upon request of such clients or client applicants, to assist and advocate for such clients or applicants in their relationships with projects, programs, and services provided under this Act, including assistance and advocacy in pursuing legal, administrative, or other appropriate remedies to ensure the protection of the rights of such individuals under this Act and to facilitate access to the services funded under this Act through individual and systemic advocacy. The client assistance program shall provide information on the available services and benefits under this Act and title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) to individuals with disabilities in the State, especially with regard to individuals with disabilities who have traditionally been unserved or underserved by vocational rehabilitation programs. In providing assistance and advocacy under this subsection with respect to services under this title, a client assistance program may provide the assistance and advocacy with respect to services that are directly related to facilitating the employment of the individual.

The Rehabilitation Act requires the Governor of a state to designate a public or private agency to conduct the CAP. Under the Rehabilitation Act and the applicable regulations, the Governor shall designate an agency that is independent of any agency that provides treatment, services, or rehabilitation to individuals with disabilities. In Wisconsin, the designated agency is the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP).

DATCP administers the CAP consistently with the goals and functions of the program as established in the Rehabilitation Act and applicable regulations. The CAP is funded by the U.S. Department of Education Rehabilitation Services Administration (RSA) through an annual formula grant to DATCP

The Governor is proposing to redesignate the CAP to Disability Rights Wisconsin (DRW) effective on or after September 30, 2021.

The reason for the proposed designation is that it will allow the CAP to utilize DRW's current resources, expertise and infrastructure for advocating for people with disabilities. DRW is the designated Protection and Advocacy (P&A) agency for Wisconsin, is part of a nation-wide network of P&A agencies, and already has several federally funded programs that advocate for the rights of persons with disabilities. The Governor's proposed redesignation to DRW aligns the CAP with the majority of states in the country that have the CAP placed within the State's designated P&A system. In addition, Wisconsin is one of only a few states in the country in which the CAP resides in a public agency. Redesignation will align Wisconsin with the majority of states that have the CAP placed in a private agency.

The Governor believes that these reasons establish good cause for the redesignation under the Rehabilitation Act and applicable regulations.

If DRW is awarded the RSA grant for the CAP, they will administer the program consistent with the goals and functions of the program as established by the Rehabilitation Act and the applicable regulations.

Hearing Dates and Locations:

Tuesday, August 10, 2021
1:00 PM – 3:00 PM
Virtually via Microsoft Teams
www.Teams.Microsoft.Com
Conference ID: 495 187 97#
Or calling 1-608-571-2209, 49518797#

Tuesday, August 17, 2021
5:00 PM to 7:00 PM
Virtually via Microsoft Teams
[Click here to join the meeting](#)
Or calling 1-608-571-2209, 461071516#

Tuesday, August 24, 2021
10:00 AM to 12:00 PM

Department of Agriculture, Trade and Consumer Protection
Room 106 (Board Room)
2811 Agriculture Drive
Madison, Wisconsin 53718
Or Virtually via Microsoft Teams

[Click here to join the meeting](#)

Or calling 1-608-571-2209, 8384667#

This notice was originally posted on August 2, 2021. It was reposted on August 12, 2021 with modifications to the information regarding virtual access to the August 17, 2021, and August 24, 2021, hearings. Virtual access was unavailable at the August 10, 2021, hearing because of a technical error. The August 10, 2021, hearing was accessible by telephone. The modifications corrected the error that caused the lack of virtual access at the August 10, 2021, hearing.

Hyperlinks to the August 17, 2021, and August 24, 2021, hearings are also available at datcp.wi.gov/Pages/Programs_Services/ClientAssistanceProgram.aspx.

The Department invites the public to attend the hearing and comment on the proposed redesignation. Following the public hearing, the comment period will remain open until September 1, 2021 for additional written public comments. Comments may be sent in writing or by email to David Woldseth in the Division of Trade and Consumer Protection via email to davida.woldseth@wisconsin.gov.

Hearing-impaired persons may request an interpreter for the hearings. Please make reservations for an interpreter one week prior to the designated hearing, in writing, by email, or by phone with David Woldseth at davida.woldseth@wisconsin.gov or (608) 224-5164. Alternatively, you may contact the Department TDD at (608) 224-5058.

The hearing facility is handicap accessible, however if you require a special accommodation to participate please contact David Woldseth at davida.woldseth@wisconsin.gov or (608) 224-5164 one week prior to the designated hearing.

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