

When a CIL Closes – SILCs Role

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PA SILC

- How is the Pennsylvania IL Network Set up?

KS SILC

- How is the KS IL Network set up?

PA SPIL Language

- In the event that a Part C grant recipient is in danger of not being able to fulfill its statutory obligations and could possibly be relinquished/closed for any reason, that CIL is required to notify ACL and make available to ACL any review, audits, survey of customers, potential legal action, etc. to determine all steps necessary in order to ameliorate the pressing situation and assist management to prevent an interruption of services. ACL should then make available to SILC any necessary documentation that will assist ACL and SILC in preventing an interruption of services.
- An expectation of privacy will be observed by all parties with regard to a CILs consumer records in the database. However, a reasonable sampling of consumer files must be available for review during an annual in person monitoring.

PA SPIL Language

- In the event that a Part C grant is relinquished or terminated by dissolution or crisis operation of a CIL, etc., the SILC will work with the CILs and ACL to adopt a plan for intervention as soon as possible to ensure the immediate and continued provision of core independent living services to the impacted consumers, retain funding in that Center's service area and establish a new CIL in the relinquished/closed grant's service area(s), all while ensuring that any applicant for the unserved service area(s) has a successful background before being considered to fulfill the statutory obligation.
- In the event that a State-funded CIL is in danger of not being able to fulfill its statutory obligations and/or its funding is relinquished or terminated by dissolution or crisis operation of the CIL, that CIL is required to notify the DSE and accordingly, follow a similar course as outlined above. The DSE and SILC will work with the network of CILs to intervene as soon as possible to ensure the immediate and continued provision of core independent living services to the impacted consumers. The DSE, SILC and the network of CILs will, as necessary, adopt a plan to help the CIL out of the crisis, retain funding in that Center's service area and establish a new CIL in the relinquished/closed grant's service area(s), all while ensuring that any applicant for the unserved service area(s) has a successful background before being considered to fulfill the statutory obligation.

KS SPIL Language

- Maintaining continuity of services by offering support for CILs that may be encountering trouble in operations, to minimize disruption to services by people served. Should a Part C CIL either relinquish or have its award terminated, and after collaboration with the Administration on Community Living; the first priority will be to guarantee continuation of services covering the service area vacated by the Part C CIL which relinquished or had its federal award terminated. Redistribution of funds relinquished by the termination of a CIL will follow the guidelines established in items a), b) or c) below.

KS SPIL Language

- a) Long term Part C funds up to \$50,000.00 a year will be distributed equally among existing Part C federally funded CILs in Kansas which meet the federal definition of a Center for Independent Living. This ensures the established statewide network and its infrastructure to provide service and outreach can be maintained.
- b) Long term funds greater than \$50,000.00 could be used to support expanded services within any Kansas CIL or CILs. The existing network of CILs have worked with the SILCK to develop a weighted formula for distribution of any additional funds to existing CILs based on the number of people with disabilities in their service area, and the square miles within the existing service areas.
- c) Long term funds greater than \$570,000.00 could be used to begin the establishment of a new CIL. When notification of additional funding is received the SILCK will inform the CILs and support a collaborative process including a needs assessment and application process. It will be established that a routine process to create or locate a new CIL will include thoughtful collaboration between the Kansas CILs to ensure a new CIL is located in a community of need, and the SILCK to ensure compliance with provisions of the SPIL.

KS SPIL Language

- Should it become necessary to close a CIL in receipt of funds awarded through the DSE:
- The DSE will first determine if the closing CIL is leaving any remaining State awarded Title VII, Part B, State General Funds (SGF) or Social Security Reimbursement (SSR) grant funds available for IL use.
- Should there be any Title VII, Part B State awarded grant funds available for IL use, in collaboration with the SILCK and the Kansas CILs, the DSE will identify and utilize the most efficient process allowed under the State procurement process to ensure the continuation of services in the affected territory. At its discretion the DSE will, after input from the SILCK and the CILs, distribute SGF and SSR funds available for IL services to the affected geographic area.
- Should the CIL close without any State awarded funds available, the DSE will solicit the SILCK and the CILs recommendations and identify the territory as currently unserved by an existing CIL. The DSE will identify and utilize the most efficient process allowed under the State procurement process to ensure the continuation of services in the affected territory. The IL network will refer any callers to the nearest service provider. The closest service provider is not assumed to be the most available provider.

WA SILC

WASILC wrote a SPIL amendment addressing the closure in more detail:

- a. Keep funding in the area with the closed CIL
- b. Identify a CIL that will take on Part C funding to develop and spin off a new CIL within 3 years
- c. Develop outreach strategies to include BIPOC and other marginalized communities within service area to take part in active role of the development of the new Center.

Outcome: (Worked with OILP, IL Network, outreach to community/BIPOC, public hearing)

- a. SPIL amendment not approved
- b. Reason, per consultation with ACL lawyers: IL Network cannot direct ACL on who they should be contracting with
- c. ACL has to conduct a fair NOFO process

Questions from precedent:

- a. How will state IL Networks redistribute Part C funds if they do not have the autonomy nor ability to direct ACL/OILP on who they should contract with?
- b. If states redistrict then to be “fair”, does that mean there would be NOFO process for every new CIL redistricting?
- c. What are other areas this will affect?

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