



Ohio SILC

Ohio Statewide Independent Living Council

State Plan Committee

October 17, 2022

10:00AM-11:00AM

[Meeting Link](#)

Agenda

- Welcome and Introductions
- Update on SPIL Submission
 - New three year plan delayed
 - One Year extension of current plan needed
 - Workgroup formation
- Overview of process to draft new amendment
- Committee Meeting Schedule
- Public Comment

Committee Chairs: Melanie Hogan & Davey McNelly

Meeting participants can attend virtually, space is available to attend in person at the Ohio SILC office.

Promoting Independence, Empowerment, and Inclusion in Ohio.

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Details on New SPIL

On 10/13/22 ACL sent official guidance about the process to amend the current SPIL.

We can choose to make a technical (minor changes) or substantial (major changes) amendment to the current SPIL.

Tentative New Timeline

October - Workgroup form to review current SPIL for amendments needed

November/December – Workgroup meets to review changes

January – Workgroup determines scope and type of amendment

February – Workgroup will recommend to the SPIL Committee the direction for the amendment

- Full SILC will vote on amendment

March/April – If substantial amendment, public comment and hearings will take place.

May – Full SILC and CILs will approve amendment

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Updates and Options for the FY2024 SPIL October 2022

Status

ACL/OILP is in the process of revising the State Plan for Independent Living (SPIL) instrument and instructions, as well as developing a SPIL portal to allow grantees to submit their SPILs through Q90.

The current timeline anticipates the new SPIL and instructions will begin the Paperwork Reduction Act (PRA) process. This means the SPIL will be published in the Federal Register and open for a 60-day public comment period. At the end of the public comment period, OILP will process the public comments, make appropriate changes to the SPIL reflecting public comments, and then republish the SPIL in the Federal Register for an additional 30 days. After the 30 days have concluded, OILP will release the SPIL to the network as a final product, which we anticipate will be no later than April 2023.

In addition, the Q90 portal is not expected to be completed until April 2023. Since the new SPIL portal and the SPIL instructions and instrument will not be implemented with enough time for technical assistance prior to the current SPIL submission due date of June 30th, OILP is providing state networks guidance on the process to draft and submit for approval of an FY2024 SPIL. State networks will have the option to make either (a) substantial and material changes or (b) technical amendments to the FY2021–FY2023 SPIL in order to develop an FY2024 SPIL.

Once the instructions and instrument are approved, guidance will be provided to assist state networks in the SPIL development process for the FY2025–2027 SPIL cycle. Approvable FY2025–FY2027 SPILs would be due to OILP no later than June 30th, 2024, with an effective date of October 1, 2024.

FY 2024 SPIL Options

Sec. 704(a) of The Rehabilitation Act, as amended, requires the review and revision of the SPIL, not less than once every 3 years, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide and comprehensive basis, needs in the State for—

(A) the provision of independent living services in the State;

(B) the development and support of a statewide network of centers for independent living; and

(C) working relationships and collaboration between—

(i) centers for independent living; and

(ii)(I) entities carrying out programs that provide independent living services, including those serving older individuals;

(II) other community-based organizations that provide or coordinate the provision of housing, transportation, employment, information and referral assistance, services, and supports for individuals with significant disabilities; and

(III) entities carrying out other programs providing services for individuals with disabilities.

As such, OILP is providing guidance to state networks for the development and approval of SPILs for FY2024 (the period between the current SPIL expiration and the new SPIL instrument being implemented), so that it is reviewed at least once every three years, per statute.

OILP is providing two options for the FY2024 SPIL year:

(a) Make substantial and material changes to the FY2021–2023 SPIL; or

(b) Make technical amendments to extend the FY2021–2023 SPIL through FY 2024.

To assist in deciding between these options states should consider the following:

1. Are substantial and material changes to the SPIL necessary to meet the requirements and activities as described in Sec. 704 and Sec. 713(b)?
2. Are technical amendments to the SPIL sufficient to meet the requirements and activities as described in Sec. 704 and Sec. 713(b)?

Substantial and material changes are significant changes to a SPIL. These may include but are not limited to:

- Changes in the SPIL goals and objectives that impact the scope of services to individuals with significant disabilities;
- Changes in the designation of unserved or underserved areas and the priorities for serving them;
- Changes in the state’s priorities for funding new or existing centers;
- Changes in the distribution method (e.g., formula for distributing excess funds to centers); or
- Changes of the DSE to an entity NOT currently identified in the SPIL.

Technical amendments are technical changes to the SPIL that **do not constitute a substantial and material** change in information in, or operation of, the SPIL. These may include but are not limited to:

- Changing the entity responsible for achieving a SPIL objective (without changing the objective itself);
- Changing the DSE director or SILC chairperson (without changing the DSE); or
- Changing the implementation dates.

If you are unsure about what changes in your SPIL would be considered significant and material, please ask your Program Officer (PO).

Required steps for a substantial and material change to a SPIL are (in the following order):

1. SILC holds public hearings to solicit input from individuals with disabilities and other stakeholders in the state. When scheduling public hearings, allow adequate time to avoid delays in the SPIL amendment and approval process.
2. Submit an approvable SPIL amendment request that includes the specific section(s) of the SPIL to be amended, the exact language to be used, and all required signatures to your PO no later than June 30th, 2023 (to allow adequate time for the PO to complete the SPIL amendment process before expiration of the current SPIL in effect on September 30th, 2023).

Amendments must be signed by three parties: the chair of the SILC, acting on behalf of and at the direction of the SILC; not less than 51 percent of the directors of the Centers in the state; and the director of the DSE (Note: The director of the DSE must sign amendments ONLY if a change in the DSE or materially changing its duties/responsibilities. The director of the DSE must be informed of, and provided with a copy of, all proposed SPIL amendments before submission to ACL/OILP and provided with the amended SPIL upon approval by ACL/OILP).

Required steps for a technical amendment to a SPIL are (in the following order):

1. A written statement to OILP, via the state program officer, requesting a technical amendment to the FY2021–2023 SPIL.
2. Submit an approvable SPIL amendment request that includes all required signatures to your program officer no later than June 30th, 2023 (to allow adequate time for the PO to complete the SPIL amendment process before expiration of the current SPIL in effect on September 30th, 2023).

Amendments must be signed by three parties: the chair of the SILC, acting on behalf of and at the direction of the SILC; not less than 51 percent of the directors of the Centers in the state; and the director of the DSE (Note: The director of the DSE must sign amendments ONLY if a change in the DSE or materially changing its

duties/responsibilities. The director of the DSE must be informed of, and provided with a copy of, all proposed SPIL amendments before submission to ACL/OILP and provided with the amended SPIL upon approval by ACL/OILP).

*A public hearing is allowed though not required.

If you are unsure about what steps to take to complete either a substantial and material change OR a technical amendment to your SPIL, ask the Program Officer.

Important information about these options

ACL strongly recommends you communicate the state's intention to your state program officer by May 1, 2023. All requests and attachments for the SPIL amendment process should be submitted in accessible PDF formats or as Word documents. The assigned state program officer will make amendments to the SPIL on behalf of each state. A revised SPIL will be provided back to the state upon completion, no later than September 29, 2023.

Once OILP receives notice of the state's intention, the program officer will work one-on-one with each state and provide appropriate follow-up information.

If additional guidance is needed immediately, please reach out to the Program Officer or the training and technical assistance center, which can be accessed at <http://www.ilru.org>. If you are unsure who your program officer is, you can access the Program Officer State Assignment list at <https://acl.gov/programs/aging-and-disability-networks/centers-independent-living>.