



**Mashantucket Pequot Tribal Nation**  
Office of Finance and Grant Administration  
P.O. Box 3008  
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November 4, 2015

Ms. Melba Depena-Affigne, Director  
Department of Human Services  
Louis Pasteur Building  
57 Howard Avenue  
Cranston, RI 02920

RE: MOU with MPTN Tribal Vocational Rehabilitation Services

Dear Director Depena-Affigne:

It has taken a few months to review the original MOU for our grant with your lawyers and ours. But they have finally come to an agreement on the wording of this renewal. The original MOU dated from 2003. It was part of our goal with the granting agency to update our MOU with the State of Rhode Island this year.

Enclosed please find two copies of the updated MOU with the State of Rhode Island's Department of Human Services, Office of Rehabilitation Services. I have worked with Ron Racine to finalize the package. Please sign both copies and return one to me in the envelope provided.

Thank you for your assistance in updating our MOU so that we can continue to work in partnership for our consumers.

Sincerely,

Jaimey D. Romanoff  
Office of Finance and Grant Administration

cc: Patrick Melfi, Program Manager, Tribal MPTNVR

**Memorandum of Understanding  
Mashantucket Pequot Tribal Nation  
Tribal Vocational Rehabilitation Program**

**And**

**The State of Rhode Island Department of Human Services  
Office of Rehabilitation Services**

The Department of Human Services, Office of Rehabilitation Services, (hereinafter referred to as DHS-ORS), shall collaborate with the Mashantucket Pequot Tribal Nation, Tribal Vocational Rehabilitation Program, (hereinafter referred to as MPTN-TV RP), according to Section 121 of the Vocational Rehabilitation Services Grants program, to enhance the lives of American Indians with Disabilities. This Memorandum of Understanding (MOU) describes the cooperation, coordination, and collaboration required to create a joint effort within the rehabilitation community to increase vocational opportunities for American Indians with disabilities, (hereinafter referred to as consumers).

The DHS-ORS and MPTN-TV RP shall cooperate in the commitment to advance the principles of the Rehabilitation Act of 1973, as amended, in a unified manner. The DHS-ORS and MPTN-TV RP shall meet all applicable obligations and responsibilities contained in federal laws and regulations.

**I. Coordinated Services:**

1. DHS-ORS and MPTN-TV RP are responsible for determining consumer eligibility within their programs, and shall also agree to accept consumer eligibility determinations made by either DHS-ORS or MPTN-TV RP and work with consumers on a collaborative basis. It is further agreed that referrals by MPTN-TV RP must meet the order of selection as determined by DHS-ORS. (see Addendum 2)
2. DHS-ORS and MPTN-TV RP agree to share information, as needed, to expedite services for consumers and honor the strictest standards of confidentiality consistent with the informed choices of the consumer. (see Addendum 1)
3. Individualized Plans for Employment shall, when appropriate, be jointly developed and accepted by DHS-ORS and MPTN-TV RP to guarantee a comprehensive level of service in a coordinated manner.
4. DHS-ORS and MPTN-TV RP agree to work cooperatively to capture Social Security reimbursements and all relevant comparable benefits for all program expenditures. The formula for sharing reimbursements shall be determined by separate agreement.
5. DHS-ORS and MPTN-TV RP agree to arrange a "meeting schedule" between the appropriate staff of DHS-ORS and MPTN-TV RP when collaborating on the delivery of service to a consumer.
6. MPTN-TV RP may refer eligible consumers to DHS-ORS if such referrals are mutually agreeable and shall allow a consumer to access resources that are not available through MPTN-TV RP. DHS-ORS may refer eligible consumers to MPTN-TV RP if such referral will enhance the opportunities for an employment outcome for the consumer.
7. DHS-ORS and MPTN-TV RP shall maintain separate case files on mutual or joint consumers during the course of service delivery, all necessary documentation and information shall be updated as required and shared.
  - a. DHS-ORS and MPTN-TV RP may recognize action on a case and each may close such case successfully if provided services lead to the employment outcome of a consumer.

**II. DHS-ORS agrees to:**

1. Provide MPTN-TVRP access to DHS-ORS staff for technical assistance and consultation on consumer case service issues.
2. Provide Benefit Services.
3. Assign DHS-ORS counseling staff as a liaison to MPTN-TVRP, and provide direct services to consumers referred by MPTN-TVRP.
4. Offer training to MPTN-TVRP staff that is provided by DHS-ORS staff to improve services to eligible consumers. Training opportunities will be disseminated to MPTN-TVRP staff by DHS-ORS staff when such training is scheduled to be presented.
5. Provide the above services at no cost to MPTN-TVRP.

**III. MPTN-TVRP agrees to:**

1. Utilize a service delivery system similar to the system used by DHS-ORS. Utilizing similar systems will guarantee that program provisions and a consumer's transition will be responsive to reporting requirements according to Section 121 of the Vocational Rehabilitation Services Grants.
2. Provide technical assistance to DHS-ORS as appropriate.
3. Provide personnel development to maximize the cultural competence of DHS-ORS staff at no cost.

**IV. Contract Period:**

This MOU shall take effect upon the date of signature by DHS-ORS and MPTN-TVRP and shall remain in effect unless terminated upon thirty (30) days advanced written notice by DHS-ORS or MPTN-TVRP. This agreement shall be reviewed at any time upon the written request of DHS-ORS or MPTN-TVRP and may be modified by mutual agreement.

**V. Confidentiality**


All material and information exchanged between DHS-ORS and MPTN-TVRP acquired in performance of the contract, whether verbal, written, recorded magnetic media, cards or otherwise, shall be regarded as confidential information and all necessary steps shall be taken by the DHS-ORS and MPTN-TVRP to safeguard the confidentiality of such material or information in conformance with applicable Federal and State statutes and regulations. The MPTN-TVRP agrees that it is prohibited from releasing any and all information provided by the DHS-ORS or providers or any information generated by MPTN-TVRP on behalf of this agreement, without the prior expressed written consent of the DHS-ORS. (see Addendum 1) The DHS-ORS agrees that it is prohibited from releasing any and all information provided by the MPTN-TVRP or providers or any information generated by DHS-ORS on behalf of this agreement, without the prior expressed written consent of the MPTN-TVRP.

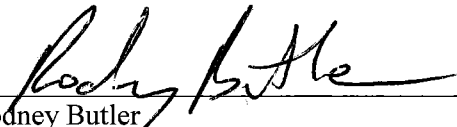
**VI. Hold Harmless**

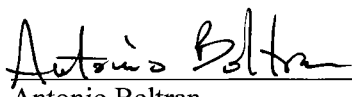
The MPTN-TVRP agrees to indemnify, defend and hold harmless the State of Rhode Island; as well as all Departments, officers, agents and employees of the State from and against any and all claims, losses or suits according or resulting to any Contractors, subcontractors, laborers and any person, firm or corporation who may be directly or indirectly injured or damaged by the negligence or willful misconduct of MPTN-TVRP in the performance on this agreement.

The DHS-ORS agrees to indemnify, defend and hold harmless the Mashantucket Pequot Tribal Nation; as well as all Departments, officers, agents and employees of the Tribe from and against any and all claims, losses or suits according or resulting to any Contractors,

subcontractors, laborers and any person, firm or corporation who may be directly or indirectly injured or damaged by the negligence or willful misconduct of DHS-ORS in the performance of this agreement.

DATE: 1/21/16 \_\_\_\_\_  
  
Patrick Melfi  
Program Manager  
Tribal Vocational Rehabilitation Program

DATE: 1/15/16 \_\_\_\_\_  
  
Rodney Butler  
Tribal Council Chairman  
Mashantucket Pequot Tribal Nation

DATE: 1/19/16 \_\_\_\_\_  
  
Antonio Beltran  
Chief of Staff  
Mashantucket Pequot Tribal Nation

DATE: 2/2/16 \_\_\_\_\_  
  
Melba Depeña-Affigne  
Director, State of Rhode Island-Department of  
Human Services

**Addendum #1**

**DATA CONFIDENTIALITY AND DISSEMINATION**

*Legal Use.* The parties agree that they shall comply with all applicable federal and state laws and regulations governing the confidentiality of information exchanged. The parties also agree to secure the DHS and MPTN mailings list in a locked file when not in use.

*Third Parties.* Information exchanged will not be released to any third party (including any subcontractors or affiliates of the Mashantucket Pequot Tribal Nation Tribal Vocational Rehabilitation Program and DHS-ORS).

*Release of Information.* The Mashantucket Pequot Tribal Nation Tribal Vocational Rehabilitation Program and DHS-ORS shall not publish or otherwise release any information received, unless the release is approved in advance by the originating party.

*Limited Use.* The Mashantucket Pequot Tribal Nation Tribal Vocational Rehabilitation Program and DHS-ORS agree that the information received from the parties is to be used only for the limited purpose of fulfilling the purposes of the agreed upon use of this information, that is vocational planning and services.

*Data Ownership.* The Mashantucket Pequot Tribal Nation Tribal Vocational Rehabilitation Program and DHS-ORS shall obtain no right of any kind to the information received from either program and further; all information received shall remain the property of the originating party. The Mashantucket Pequot Tribal Nation Tribal Vocational Rehabilitation Program and DHS-ORS shall destroy, by shredding, any or all individually identifiable information at the conclusion of the completion of their exchange of information regarding consumers.

*No Monetary Gain.* The Mashantucket Pequot Tribal Nation Tribal Vocational Rehabilitation Program and DHS-ORS agree that under no circumstances shall it use any information received for monetary gain.

*Continuity.* These data dissemination and confidentiality obligations shall survive the completion or any termination of the exchange of information regarding consumers.

## Addendum 2

### ORDER OF SELECTION



#### DEPARTMENT OF HUMAN SERVICES OFFICE OF REHABILITATION SERVICES

*"Helping individuals with disabilities to choose, find and keep employment"*

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#### ELIGIBILITY

To be eligible for Vocational Rehabilitation services, every individual must meet the following criteria:

1. the individual must have a physical or mental impairment
2. which causes a substantial barrier to employment, and
3. the individual must be able to benefit from vocational rehabilitation services (this is usually presumed), and
4. need vocational rehabilitation services in order to achieve employment.

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#### ORDER OF SELECTION

Whenever the state Vocational Rehabilitation agency does not have enough resources to help everyone who is eligible for services, a priority system must be used. This system is called an **Order of Selection**. In Rhode Island, there are three (3) priority categories.

The three (3) priority categories are defined by the severity of an individual's disability, including how many life areas are limited as a result of the disability. There are seven (7) life areas which may be limited by a disability: **mobility, communication interpersonal skills, self-care, self-direction, work skills and work tolerance.**

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#### CATEGORY SELECTIONS

1. Individuals with the **most significant disabilities** – three (3) or more life areas are affected by the disability and multiple services are needed for an extended period of time in order for the individual to work.

##### **WAIT LIST:**

2. Individuals with **significant disabilities** – one (1) life area is seriously affected by the disability and multiple services are needed for an extended period of time (*at least 6 months*) in order for the individual to work;
3. All other individuals with disabilities.

Rev. 6/2010



**DEPARTMENT OF HUMAN SERVICES  
OFFICE OF REHABILITATION SERVICES**

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## ***Vocational Rehabilitation***

The purpose of the Vocational Rehabilitation (VR) program is to assess, plan, develop, and provide vocational rehabilitation services to individuals with disabilities to prepare for and engage in gainful employment that is consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.

**WHO IS ELIGIBLE?** You are eligible for (VR) services when:

- You have a disability, a physical or mental impairment, that results in a substantial barrier to employment;
- you must be able to benefit in terms of an employment outcome from VR services; and
- you must need vocational rehabilitation services to become employed, retain employment, or regain employment.

**HOW TO APPLY?**

- Call VR intake at (401) 421-7005 or (401) 421-7016 (TDD) for more information.
- Visit a netWORKri One-Stop Career Center and ask to see an ORS Counselor.
- Visit our website at <http://www.ors.ri.gov/PDFfiles/ApplicationORS.pdf> to obtain an application.

**DO ALL ELIGIBLE INDIVIDUALS RECEIVE VR SERVICES?**

Sometimes there are not enough resources to serve all eligible individuals. A priority system for services called the Order of Selection (OOS) is in place. Under OOS, individuals with the most significant disabilities based on their functional limitations are given priority for VR services. Those not meeting Category 1 OOS requirements are placed on a waiting list for services. SSI/SSDI recipients are subject to the same OOS category criteria as are all applicants.

**WHAT TYPES OF SERVICES MIGHT VR OFFER?**

The types of services provided by the Office of Rehabilitation are designed to develop or improve skills and abilities to enhance employment outcomes. Some examples of services the ORS offers are:

- Vocational guidance and counseling
- Vocational assessments
- Medical, social psychological and educational evaluations
- Job development
- Job placement
- Job retention
- Training for employment
- Rehabilitation evaluations
- Post employment services
- School to transition services
- Assistive technology
- Supported Employment services

***SUCCESS IS EMPLOYMENT!***

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40 Fountain Street ~ Providence, RI 02903  
Voice 421-7005 ~ TDD 421-7016 ~ Spanish 272-8090 ~ Fax 222-3574  
[www.ors.ri.gov](http://www.ors.ri.gov)

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