Workforce Innovation & Opportunity Act (WIOA) Frequently Asked Questions

July 15, 2014

Q. When will WIOA go into effect?
A. The effective date is October 1, 2014. However, the bill allows for two years of transition.

Q. Is it true WIOA has amendments that lower the requirements for vocational rehabilitation counselors to no longer need a master’s degree?
A. WIOA will take away the requirement to have a Masters in Rehab to become a VR Counselor. This was also in S. 1356. NCIL does not have a formal position on this issue; however, NCIL has always had concerns with this. We see the need to have a Masters in Rehab as a barrier to people with disabilities being hired as staff at VR, especially when they all but refuse to pay for anyone to get a master’s as a recipient of VR services.

We believe if they hire more people with disabilities (thereby role modeling for other employers) and provide a more peer-based model and less "rehab", people would be served better.

Additionally, we believe this will help reduce the high turnover rate of VR counselors while offering longevity in the job.

Q. I need clarification of the new fifth core service: transition. How it will be funded?
A. The 5th core service has 3 components of transition: (i) facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the requisite supports and services; (ii) provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community; and (iii) facilitate the transition of youth who are individuals with significant disabilities, who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life.
The bill does contain the following authorizing language to increase funding: $78,305,000 for fiscal year 2015, $84,353,000 for fiscal year 2016, $86,104,000 for fiscal year 2017, $88,013,000 for fiscal year 2018, $90,083,000 for fiscal year 2019, and $91,992,000 for fiscal year 2020. While that sounds great, it doesn’t mean that we will actually get that funding. Keep in mind that this is not an appropriations bill and all of our federal funding comes through an appropriations bill.

NCIL has been advocating for increased funding regardless of WIOA, but we knew we were taking a risk adding an additional core service. It was not a decision NCIL membership made lightly. Many CILs are already providing the transition services that are required in WIOA.

Q. Is there a new definition of CILs in WIOA? Would this prevent fee for services arrangements?

A. The definition of CILs remains the same and would not impact fee for service arrangements. The only change made is the addition of a fifth core service: transition. CILs will now be the only organizations mandated to perform such services as transitioning persons from institutions to community life or assisting persons with disabilities to avoid nursing home or institutional placement.

Q. How will the change to HHS impact those part B CILs that are currently receiving funding from the state VR agency?

A. Part B funds will be administered by the Designated State Entity (DSE). The Designated State Entity will be determined by the State Plan for Independent Living (SPIL) and depending on what your state decides, may still be VR. The use of Part B funds will also be determined by your SPIL as they are now, and may still be used for the same purposes, including "Supporting the General Operations of a CIL".

- NCIL realizes there are still many unanswered questions. Rules and Regulations will need to be written to clarify many of the details. This may take up to one year. NCIL will be involved in this work and continue to communicate with our members.

- Meanwhile, everything remains the same; CILs will continue to receive their funding and contracts, CILs will continue to turn in their 704 Reports, and SILCs will continue to operate under their currently approved State Plan for Independent Living (SPIL). It will take some time to “unpack” Independent Living from RSA and move into Health & Human Services (HHS) under the Administration for Community Living (ACL).