

## Addendum SPC 615: Supported Employment

Lakeland Care District (LCD) members receiving Supported Employment (SE) services shall have an identified outcome that necessitates the provision of SE to support this outcome.

The provision of contracted, authorized, and provided SE services shall be in compliance with the provision of this agreement and the service descriptions and requirements of this section and state certification criteria.

### Definition

Supported employment services is the provision of support to participants who, because of their disabilities, need intensive on-going support to obtain and maintain competitive or customized employment in an integrated work setting. Supported employment may also include support to maintain self-employment, including home-based self-employment. Supported employment services are individualized and may include any combination of the following services: vocational/job-related discovery or assessment, person-centered employment planning, job placement, job development, negotiation with prospective employers, job analysis, training and systematic instruction, job coaching, benefits management, transportation and career advancement services. Other workplace support services including services not specifically related to job skill training may also be provided based on the needs of the specific participant served.

Supported employment services may be provided by a co-worker or other job site personnel provided that the services that are furnished are not part of the normal duties of the co-worker or other personnel and these individuals meet the qualifications established below for individual providers of service. Employers may be reimbursed for supported employment services provided by co-workers.

The cost of transportation for a participant to get to and from a supported employment site may be included in the reimbursement paid to the supported employment provider, or may be covered and reimbursed under specialized transportation, but not both. All providers of transportation shall ensure that the provider qualifications for specialized transportation are met.

Personal care provided to a participant during the receipt of supported employment services may be included in the reimbursement paid to the supported employment provider, or may be covered and reimbursed under the waiver service personal care, but not both. All providers of personal care shall meet the personal care provider qualifications.

With regard to self-employment, supported employment services may include: (a) aiding the participant to identify potential business opportunities; (b) assistance in the development of a business plan, including identifying potential sources of business financing and other assistance in developing and launching a business; (c) identification of the supports that are necessary in order for the participant to operate the business; and (d) ongoing assistance, counseling and guidance once the business has been launched (as defined in Wisconsin's s. 1915 (c) home and community-based waiver services waivers #0367.90 and #0368.90 required under s. 46.281(1)(c), Wis. Stats.).

**Integrated Employment** is defined as working for a competitive wage in a community-based job (i.e., a job that is not based in a community rehabilitation facility, sheltered workshop or residential long-term care institution for people with disabilities). The employment must be in a work setting where, to the extent the employment typically involves interaction with others, the interaction is predominantly with co-workers or business associates who do not have disabilities or with the general public. Integrated

employment includes employment located in a community business, self-employment and ownership of a micro-enterprise with the outcome of earning competitive wages. Integrated employment does not include employment in enclaves or work crews, volunteering or work center facility-based employment. There are two kinds of integrated employment located in a community business:

Customized Employment is a position in which a vendor individualizing the employment relationship between employee and employer in ways that meet the needs of both. It is based on “discovery” of the skills, strengths, and interests of the person with a disability, and is also designed to meet the specific needs of the employer. Customized Employment relies on a negotiation rather than competitive approach with an employer.

Competitive Employment is a position in which a vendor assists an individual to apply for and fill existing positions in that community business.

Micro-Enterprise is an employment option for a member to own his or her own business with typically less than ten employees; commonly sole proprietorships with limited earning capacity. Micro enterprise can play an integral role in helping individuals with significant disabilities earn income and engage in meaningful activities of their design.

Competitive Wage means a payment for work that is generally equivalent to the payment made to others performing similar work. Competitive wage does not mean commensurate wage or special minimum wage or sub-minimum wage.

A job assessment would determine the person’s ability to access the community, use transportation, to advocate for your needs, care for yourself, to complete daily living skills, and basic daily activities as well as access businesses and identify your strengths, capabilities, work skills, and interests. Services are completed in the community; although some information is gained from interviews with family, friends, and past work relationships and results in recommendations to support you in your search for work and to maintain employment long-term.

Job development refers to services to develop job openings through direct employer contacts for members who need assistance in their job search. Activities of development include but are not limited to: Assistance completing applications, developing a resume, and practicing interview skills, conducting a job search with employer contacts being specific to each member, and presentation of the member’s individualized portfolio and negotiation with employers.

Job Coaching is a service provided by paid staff to assist members on the job site and also includes assistance with transportation to the job site. This service may be provided from a few days to several months, depending on the needs of the member. Job coaching is not to be used 100% of the time with a member, and should not be expected to continue as long as the member is working. There is an expectation that proper use of job coaching will fade as a member learns the skills of a job.

Group Employment/Enclave is a group of three (3) or more individuals with disabilities working typically through a contract between the business (owner/operator of the business where the work is done) and Provider. The individuals are supported as a group who share support staff and typically are transported to and from the work setting as a group. Participants may or not be paid a competitive wage and may be earning sub-

minimum wage. Interaction is predominately with the other members of the enclave/work crew, rather than with co-workers who do not have disabilities and/or the general public. Groups shall consist of one (1) Provider staff with no greater than eight (8) members/participants. Team may authorize coverage of member transportation to/from work site; however, Provider travel time is only reimbursable when Provider is transporting members.

A Workplace Personal Assistant's (WPA) roll is to provide personal and/or supportive care and follow along services that may be necessary for the member to maintain integrated employment. An individual receiving this service may have a disability and job coach fading to natural supports may not be feasible and the individual is deemed to require on-site supports for a substantial portion of their work hours. The specific services required will be individualized based on the persons personal care and long term support needs. The WPA is responsible for assisting the individual with disabilities in completing tasks, providing follow along supports and to promote independence at their employment site.

### **Standards, Training, and Competency** **Standards**

Providers must be able to demonstrate the ability and qualifications to provide SE services through one of the following ways:

- Accreditation by the Rehabilitation Accreditation Commission (CARF)
- Receiving accreditation by another nationally recognized accreditation agency
- The existence of a current contract with the State's Vocational Rehabilitation Agency (DVR) for SE service provision; or
- The submission of written documentation that evidences the Provider's competency
- Meets all DVR Technical Specifications related to SE
- Provider qualifications are expanded to allow agencies to qualify by meeting National APSE Supported Employment Quality Indicators, and individuals to qualify by meeting National APSE's Supported Employment Competencies relevant to particular aspect(s) of SE being provided.
- Michael Callahan Customized Employment

### **Training and Competency**

SE Services shall be provided by personnel that have skills and abilities in the areas of assessment, job development, job placement, job retention and evaluation including, but not limited to:

- Knowledge of specific member needs and abilities, which may include personal care services
- Knowledge, skills, and ability in assessing individuals with disabilities
- Skills in work site analysis
- Skills in assessing needs for assistive technology, disability accommodations, and individual ergonomics
- Skills in the area of job development
- Skills in the area of sales and marketing
- Skills in the area of job coaching
- Skills in the area of outcome development and program evaluation

### **SE Training**

Provider shall ensure employees providing SE Services have training in the following areas:

1. Provider agency's recording and reporting requirements for documentation of the services.
2. Training on the provision of services being provided.
3. Information and Provider procedure for adherence to the following LCD policies:
  - a. Critical Incident Reporting
  - b. Restraint and Seclusion Policy and Procedure
  - c. Communication Expectations

### **Service Requirements**

- The cost of transportation for a member to get to and from a SE site may be included in the reimbursement paid to the supported employment provider, or may be covered and reimbursed under specialized transportation, but not both. All providers of transportation shall ensure that the provider qualifications for specialized transportation are met.
- Personal care provided to a participant during the receipt of supported employment services may be included in the reimbursement paid to the supported employment provider, or may be covered and reimbursed under the waiver service personal care, but not both.
- Federal and state wage certifications must cover the Member and the employer whenever the Member is paid at a rate less than state minimum wage. All local, State and Federal laws governing any aspect of employment must be followed.

### **Staff to Member Ratio**

The Staff to Member ratio for SE services provided under this agreement will be for 1:1 support unless specifically indicated otherwise in the Rates and Service Codes Chart of this agreement. The Staff to Member ratio for Enclave Groups/Workgroups would not exceed 1:8.

### **Collaboration and Coordination of Care**

Through the use of the Resource Allocation Decision method (RAD), the LCD interdisciplinary team (IDT) staff shall assess the member's needs and outcomes to determine the amount of SE services to be authorized. SE services funded under this agreement will only occur after DVR funding is exhausted, unnecessary, or unavailable. SE services are individualized and may include any combination of the following services: vocational/job-related discovery or assessment, person-centered employment planning, job placement, job development, negotiation with prospective employers, job analysis, training and systematic instruction, job coaching, benefits management, transportation and career advancement services. At the time of the referral the IDT staff shall exchange pertinent information with the provider including the member's outcomes, assessed needs and the amount of authorized units as it relates to SE services.

### **Documentation**

Provider shall have a written employment plan which clearly states the SE goals and mechanisms for assessing progress. The Provider's documentation file for each member shall include documentation that DVR services were exhausted before authorization of services under this agreement. The documentation file shall also include a copy of the member's assessment, job development plan, ongoing services being provided, and monthly progress reports.

Where Job Development/Job Coaching services are authorized, Provider shall prepare and send a written report to the LCD Employment Services Coordinator (ESC) and/or IDT staff

monthly. This report is due to the LCD ESC and IDT staff by the 10<sup>th</sup> of each month. Progress reports shall identify the following elements:

- Dates, amount of time and description of activities provided during the past month
- Member's and developer's progress towards each goal or skill related to employment
- Reasons or suggestions for any lag or lack of progress
- Statement or recommendation for continued participation in the authorized activity
- Names and dates of business contacted on behalf of the specific member
- Dates and times of future scheduled meetings or follow-up calls on member's behalf.

In accordance with DVR technical specifications, a member authorized for a job assessment must have a job assessment completed and delivered to the LCD ESC and IDT staff within sixty days of initiating service. Assessments must include the following sections:

- A list of specific jobs that will be developed.
- An initial list of employer contacts
- A list of employment barriers and strategies to address them
- A checklist of responsibilities for the consumer, DVR staff and vendor
- A checklist of employment preparation needs
- Conditions for the use of internships, work experiences and on-site job coaching
- A list of initial employment preparation efforts, as needed
- Plans to use work incentives, as appropriate, to maximize earnings
- Target wages, hours worked and special conditions that apply to the work site for that consumer (e.g. fragrance-free environment, amount of job structure vs. need for variety, etc.)
- Short and long-term employment goals
- Sources of support (e.g. sister drives consumer to work)

Upon the hire of an LCD member by an employer a hire report is due within five (5) work days of hire. This report shall include:

- Name of employer
- Employer contact information
- Member's start date
- Member's wages and hours of work
- SE supports plan for member (i.e., hours of support needed, schedule of employer contact by SE provider, etc.)

### **Employment Outcome Data Collection and Reporting:**

Measuring and evaluating outcomes associated with the purchase of employment services is an essential aspect of ensuring quality and cost-effectiveness. To this end, Employment Service Providers shall report employment outcome data in the Department of Health Services program Participation System (PPS) in May and November of each year for pre-populated lists of members served. The pre-populated list of members, for whom employment outcome data must be reported, is visible upon login to the PPS system and navigation to the Employment Outcomes page. The pre-populated list is updated prior to each data entry period. Data reported will be for the month prior to the reporting month: April will be reported in May; October data will be reported in November. Employment service providers shall ensure that staff who are identified to do the data entry take the steps necessary to gain security access to the PPS system and complete training on using the PPS system to report employment outcome data.

### **Billable Units**

Providers should reference the Rates and Service Codes Chart of this agreement for rates and units. Units of SE are billable for a member when the member is authorized and receiving SE services. Increments of 15 minutes will be used to bill the LCD. Fifteen-minute increments are determined by 7.5-minute timeframes. Time increments less than 7.5 are not billable; increments of 7.5 to 15 minutes are billable at 15 minutes.

Provider service rate for provision of SE services should incorporate all administrative and business functions related to the provision of this service. Contracted rates expect the provision of administrative functions necessary to provide the service and are not billable beyond units provided to each authorized members.

- 1.) Only units of service directly related to the authorized member may be billed under this service. The following services constitute directly related services:
  - a. Face-to-face contact with member by Provider personnel for the purpose of addressing supported employment services
  - b. Transportation of the Provider personnel to the member's employment for the purpose of observing the member at the work site. In the event that provider personnel transport the member to employment, this service is defined as face to face contact with member.
    - i. Travel of the Provider personnel from the member's employment site is not billable under this member's authorization unless the member is being transported by the Provider personnel from the work site location to another location.
  - c. Up to 2 hours of member's monthly employment hours are billable twice a year for each member when appropriate and necessary to perform specific follow-up activities to ensure the provision of SE services. This must be collaborated with and approved by the ESC and/or the LCD IDT staff.
    - i. The following list of allowable functions are appropriate and billable, when authorized as an indirect cost:
      1. Phone and face-to-face contact with the employer on behalf of a specific member, IDT staff, guardian, ancillary service providers of the member, and related formal and informal supports of the member.
      2. Necessary time to gather and write LCD reports.
    - ii. The following list of Provider functions are not appropriate nor billable under individual member authorizations
      1. Provider agency staff meetings, training, in-services
      2. Administrative tasks necessary to provide services
- 2.) Only one provider agency staff is billable for service at the same time. If more than one Provider personnel is present to perform SE services, Provider may only bill units for one personnel.

Job Assessment services provided under this agreement will be provided and billed in accordance with DVR technical specification at the Provider's hourly contracted rate per this agreement.

Job development services provided under this agreement will be provided and billed in accordance with the technical specifications for Job Development.

*Technical Specifications for Job Development:*

- Job development services provided under this agreement will be provided and billed in accordance with the specifics of DVR and this addendum, at the Provider's hourly contracted rate per this agreement.
- Under this agreement, only job development specific to the authorized member is billable to each member. The Provider's general marketing and employer contacts are incorporated in the Provider's administrative functions and are not billable to specific members under this agreement.
- Job Development is not to exceed 90 calendar days. If a placement has not been secured for a member within 90 days, Provider billing should cease pending a staffing with member, IDT staff, and other related parties. Job development past the 90 days will necessitate written approval from the LCD IDT staff and/or LCD ESC, up to and not to exceed an additional 60 days. To be approved for an extension of the 60 days the plan to secure employment must indicate specific modifications to the job development plan or the strategies to secure a job.

Job Coaching services provided under this agreement will be provided and billed in accordance with the technical specifications for Job Coaching.

*Technical Specifications for Job Coaching:*

- Job coaching is the provision of services provided by a paid staff to assist the member on the job. The purpose of job coaching is to teach the member the functions of the job duties necessary to perform the task independently. Job Coaching is not performing those duties in place of the member or in addition to the member.
- Job assessment and development must occur within the context of maximizing natural supports to the extent that when the job coaching is implemented the job coach is a consultant to the employer and not a substitute to the supported employee. Natural supports are the human or technical resources that are available or can be developed in a setting to facilitate a person's integration, acceptance, and satisfaction, and to promote the goals and interests of all individuals in the setting.

Providers of SE Services are required to provide for all identified care needs during the provision of SE and are specifically prohibited from billing for additional services during the provision of SE services.