**OHIO DODD WORK GROUP**

**Draft Service Definition #4**

**Revised January 22, 2015**

**Supported Employment-Individual Employment Support**

**Supported Employment—Individual Employment Support** services is the ongoing supports made available to job seekers *and job holders* who, because of their disabilities, need ongoing support to obtain and maintain a competitive or customized job, self-employment, *or to pursue career development or enhancement*, in an integrated community setting for which an individual is compensated at or above the minimum wage consistent with the Fair Labor Standards Act. Supported Employment does not include sheltered work or other similar types of vocational services furnished in specialized facilities.

**The expected outcome of this service is Community Employment; individualized competitive employment in an integrated setting,** either through:

(1) Sustained paid employment in a competitive or customized job that meets personal and career goals as identified in the person-centered plan that is in an integrated work setting in the general workforce with an employer for which an individual is compensated at or above the state’s minimum wage, with the optimal goal being not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities; or

(2) Sustained paid self-employment that meets personal and career goals that is identified in the person-centered plan that is home-based or conducted in an integrated setting(s) where net income in relation to hours worked is equivalent to no less than the state’s minimum wage, after a reasonable self-employment start-up period.

This service *shall* be designed to *ensure that the jobseeker or jobholder receives the supports that are necessary to* achieve Community Employment outcomes consistent with the job seeker’s *or job holder’s* personal and career goals, as determined through *Employment Navigation and/or Informed Choice services if used*, job shadowing (business tours), Discovery, On the Job Training, and/or a career planning processes.

Supported Employment- Individual Employment Support services is individualized *and person-centered* and may include *any of the following services depending upon the individual’s needs and status on the Path to Community Employment and the individual’s choice of any approved provider of the service:*

* Situational Observation and Assessment
  + This is a time-limited service *(30 days)* that involves observation and assessment of interpersonal skills, work behaviors and vocational skills through practical experiential, community integrated (REMOVED VOLUNTEER OR) paid work experiences related to the preferences of the job seeker established through the person-centered plan. The information gathered through the situational observation and assessment process provides a context to further determine the work skills needed to be successful in that work environment. Each job seeker can be provided up to four such experiences to help inform their employment plan.
* BENEFITS EDUCATION AND ANALYSIS:
  + BENEFITS EDUCATION AND ANALYSIS IS A SERVICE THAT PROVIDES INFORMATION TO JOB SEEKERS, FAMILIES, GUARDIANS, ADVOCATES, CASE MANAGERS, AND EDUCATORS ABOUT THE IMPACT OF PAID EMPLOYMENT ON A RANGE OF PUBLIC ASSISTANCE/BENEFITS PROGRAMS, INCLUDING, BUT NOT LIMITED TO:
  + SUPPLEMENTAL SECURITY INCOME,
  + SOCIAL SECURITY DISABILITY INSURANCE,
  + MEDICAID BUY-IN FOR WORKERS WITH DISABILITIES,
  + MEDICARE CONTINUATION,
  + VETERAN’S BENEFITS,
  + HOUSING ASSISTANCE, AND
  + FOOD STAMPS.
* WORKSITE ACCESSIBILITY:
  + WORKSITE ACCESSIBILITY INCLUDES SOME OR ALL OF THE FOLLOWING ACTIVITIES WITH THE USE OF ASSISTIVE OR ADAPATIVE TECHNOLOGY
  + TIME SPENT IDENTIFYING THE NEED FOR AND ASSURING THE PROVISION OF REASONABLE WORKSITE ACCOMMODATIONS THAT ALLOW THE JOB SEEKER TO GAIN, RETAIN AND ENHANCE EMPLOYMENT OR SELF-EMPLOYMENT
  + TIME SPENT ASSURING THE PROVISION OF THESE ACCOMMODATIONS THROUGH PARTNERSHIP EFFORTS WITH THE EMPLOYER
  + PURCHASING OR MODIFYING EQUIPMENT THAT WILL BE RETAINED BY THE INDIVIDUAL ON THE CURRENT EMPLOYMENT SITE AND/OR IN OTHER SETTINGS.
* Discovery *Leading to Customized Employment*
  + Discovery is a time-limited *(60 days)* and targeted service that involves a comprehensive process designed to help a job seeker, who is pursuing individualized, integrated employment or self-employment, to identify:
    - Strong interests toward one or more specific aspects of the JOB market;
    - Skills, strengths and other contributions likely to be valuable to employers or valuable to the community if offered through self-employment;
    - Conditions necessary for successful employment or self-employment.
  + The information developed through discovery allows for activities of typical life to be translated into possibilities for integrated employment. Discovery results in the production of a written Profile summarizing the process, learning and recommendations for next steps *and is used to develop a VOCATIONAL portfolio.* The written Profile is due no later than *sixty (60)* days after the service commences. Discovery is paid on an outcome basis, after the written Profile is received and approved.
* Job Development Plan or Self-Employment Plan
  + This is a time-limited and targeted service designed to create a clear plan for Job Development or the start-up phase of Self-Employment. This service includes a planning meeting involving the job seeker and other key people who will be instrumental in supporting the job seeker to become employed in competitive or customized employment or to become self-employed. This service culminates in a written plan directly tied to the results of career exploration, if previously authorized, situational assessment, and/or discovery, and is due no later than thirty (30) days after the service commences. For self-employment goals, this service results in the development of a self-employment business plan that identifies training and technical assistance needs and potential supports and resources for those services as well as including potential sources of business financing, given that Medicaid funds may not be used to defray the capital expenses associated with starting up a business. This service component is paid on an outcome basis, after the plan is received and approved.
* Job Development or Self-Employment *Launch Plan*
  + Job Development is support to obtain a competitive or customized job in an integrated employment setting in the general workforce, for which an individual is compensated at or above the minimum wage, but ideally not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities. The Job Development strategy should reflect best practices whether the individual is seeking competitive, *supported* or customized employment. *It can include job site analysis, accommodations and employer negotiations for customized employment.*
  + Self-Employment *Launch Plan* is support in implementing a self-employment business plan and launching a business.
  + This service should result in the achievement of an integrated employment outcome consistent with the job seeker’s or job holder’s personal and career goals in the person-centered plan, as determined through career exploration, situational assessment, discovery and/or the employment planning process.
  + *This service can require up to 75 hours, depending upon the individual’s acuity level and must be concluded within nine (9) months and can be provided once per ISP year.*
  + *This service cannot be provided to anyone on Place 4 of the Employment Path.*
  + *This service only can be provided if it not available from any other funding source.*
* Job Coaching
  + Job Coaching includes identification and provision of services and supports, UTILIZING TASK ANALYSIS AND SYSTEMATIC INSTRUCTION, that assist the individual in maintaining and advancing in individualized integrated employment in an integrated setting that pays at least minimum wage but ideally not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities. Job coaching includes supports provided to the individual and his/her supervisor or co-workers, either remotely (via technology) or face-to-face. Supports during *the first FOUR WEEKS OF EMPLOYMENT CAN BE FULL TIME, IF NEEDED. WITHIN FOUR WEEKS OF INITIATING JOB COACHING,* a Job Coaching Fading Plan MUST BE IN PLACE TO REDUCE JOB COACHING OVER TIME. THE JOB COACHING FADING PLAN MAY CONTAIN ADDITIONAL FULL TIME JOB COACHING. THE PLAN must CONTINUE TO include systematic instruction utilizing task analysis to teach the individual to independently complete as much of his/her job duties as possible. Assistive technology, either high or low tech, should also be introduced whenever possible to increase independence. Job coaching must also include the engagement of natural supports in the workplace to provide additional targeted supports that allow the job coach to maximize his/her ability to fade.
  + Examples of job coaching strategies include:
    - Job analysis
    - Job adaptations
    - Instructional prompts
    - Verbal instruction
    - Self-management tools
    - Physical assistance
    - Role play
    - Co-Worker modeling
    - Written instruction
  + Job Coaching for Self-Employment includes identification and provision of services and supports, including counseling and guidance, which assist the individual in maintaining self-employment through the operation of a business.
  + Job Coaching is not time-limited, but the amount authorized as a percentage of individual’s hours worked, is tiered, based on the individual’s level of disability (acuity level), THE COMPLEXITY OF THE JOB and the length of time the person has been in the job, thus serving as an employment “retention” payment to the provider. Payment is not based on the hours of service or support the individual receives. An exception to the *retention payment* policy applies for individuals with exceptional circumstances *and will be established in rule.*
* Co-Worker Supports
  + Co-Worker Supports involve the provider of this service entering into an agreement with the employer to reimburse the employer for supports provided to the individual by one or more co-workers in lieu of a job coach. This service cannot include payment for the supervisory and co-worker activities rendered as a normal part of the business setting and that would otherwise be provided to an employee without a disability. The co-worker(s) identified to provide the support to the individual must meet the qualifications for a legally responsible individual as provider of this service. The provider is responsible for oversight and monitoring of paid co-worker supports.

If an individual is successfully employed or self-employed in an integrated setting, services may be used to explore advancement opportunities in his or her chosen career.

Ticket to Work Outcome and Milestone payments from the Social Security Administration do not conflict with CMS regulatory requirements and do not constitute an overpayment of Federal dollars for services provided since payments are made for an outcome, rather than for a Medicaid service rendered.

Service Limitations:

This service does not include support for volunteering.

This service does not include *vocational services* provided in segregated, facility based (sheltered) work settings *or other types of vocational services furnished in specialized facilities that are not part of general community workplaces.* This service does not include supporting paid employment in sheltered workshops or similar facility-based settings.

THIS SERVICE DOES NOT INCLUDE SUPPORTING PAID EMPLOYMENT IN A BUSINESS ENTERPRISE OWNED OR OPERATED BY A PROVIDER OF AN INDIVIDUAL’S SUPPORTED EMPLOYMENT – INDIVIDUAL EMPLOYMENT SUPPORT SERVICES OR A PARTY RELATED TO THE PROVIDER UNLESS BOTH OF THE FOLLOWING CONDITIONS ARE MET:

1. THE INDIVIDUAL SELECTS THE PROVIDER IN ACCORDANCE WITH THE RULE 5123:2-9-11 OF THE ADMINISTRATIVE CODE; AND,
2. THE EMPLOYER AGREES THAT THE INDIVIDUAL’S EMPLOYMENT STATUS WILL NOT BE AFFECTED IN ANY WAY IF THE INDIVIDUAL CHOOSES TO CHANGE THEIR PROVIDER OF SERVICES.

This service does not include payment for the supervisory activities rendered as a normal part of the business setting.

Job Coaching or Co-Worker Supports is limited to a maximum of 40 hours per week either alone or in combination with Integrated Prevocational Supports, Supported Employment-Small Group Supports, or Integrated Day Supports, if also authorized. The actual amount of Job Coaching support authorized, as a percentage of individual’s hours worked, is tiered, based on the individual’s level of disability (acuity level,) THE COMPLEXITY OF THE JOB and the length of time the person has been in the job. An exception policy applies for individuals with exceptional circumstances.

Transportation of the individual to and from this service is not included in the rate paid for this service.

The waiver will not cover services which are otherwise available to the individual under section 110 of the Rehabilitation Act of 1973, or the IDEA (20 U.S.C. 1401 et seq.). If this service is authorized, documentation is maintained that the service is not available to the individual under a program funded under section 110 of the Rehabilitation Act of 1973 or the IDEA (20 U.S.C. 1401 et seq.).

This service will not duplicate other services provided through the waiver or Medicaid state plan services. An individual’s ISP may include more than one non-residential habilitation service; however, they may not be billed for during the same period of time (e.g., the same hour).

Federal financial participation is not claimed for incentive payments, subsidies, or unrelated vocational training expenses such as the following:

1. Incentive payments made to an employer to encourage or subsidize the employer's participation in supported employment;

2. Payments that are passed through to users of supported employment services; or

3. Payments for training that is not directly related to an individual’s supported employment program.