

facilities/services/ programs, distance and other means of electronic learning, video and audio-visual training, and staff meetings.

(10) An agency provider shall ensure that a written record of training completed by each employee, contractor, and employee of a contractor who is engaged in direct provision of supported employment-community is maintained. The written record shall include a description of the training completed including a training syllabus and copies of training materials, the date of training, the duration of training, and the instructor's name, if applicable.

(11) Failure to comply with this rule and rule 5123:2-2-01 of the Administrative Code may result in denial, suspension, or revocation of the provider's certification.

(D) Requirements for service delivery

(1) Supported employment-community shall be provided pursuant to an individual service plan that conforms to the requirements of paragraph (H) of rule 5101:3-40-01 of the Administrative Code or paragraph (H) of rule 5101:3-42-01 of the Administrative Code, as applicable.

(2) The service and support administrator shall ensure that an acuity assessment instrument is completed, the individual is assigned to a staff intensity group, and a budget limitation is determined in accordance with rule 5123:2-9-19 of the Administrative Code when the need for supported employment-community has been identified through development of the individual service plan.

(3) The service and support administrator shall ensure that documentation is maintained to demonstrate that the service provided as supported employment-community to an individual enrolled in an individual options or level one waiver is not otherwise available as vocational rehabilitation services funded under section 110 of the Rehabilitation Act of 1973, 29 U.S.C. 730, or as special education and related services as those terms are defined in section 602 of the Individuals with Disabilities Education Act, 20 U.S.C.1401.

(4) Supported employment-community, other than services and supports that assist an individual to achieve self-employment through the operation of a business as described in paragraph (B)(15)(b) of this rule, shall take place in a setting separate from any home or facility in which the individual receiving the services resides.

(5) Supported employment-community services extend to those times when the individual is not physically present and the provider is performing supported employment-community on behalf of the individual.

develop self-advocacy skills, to exercise his or her civil rights, to exercise control and responsibility over the services he or she receives, and to acquire skills that enable him or her to become more independent, productive, and integrated within the community.

(8) An agency provider shall develop and implement a written plan identifying training priorities for employees, contractors, and employees of a contractor who are engaged in direct provision of supported employment-community. The training priorities shall be consistent with the needs of individuals served, best practice, and the provider's mission, vision, and strategic plan. The written plan of training priorities shall describe the method (e.g., written test, skills demonstration, or documented observation by supervisor) that will be used to establish employees' and contractors' competency in areas of training. The written plan of training priorities shall be updated at least once every twelve months and shall identify who is responsible for arranging or providing the training and projected timelines for completion of the training.

(9) An agency provider shall ensure that each employee, contractor, and employee of a contractor of an agency provider who is engaged in direct provision of supported employment-community, commencing in the second year of employment/contract with the agency provider, annually completes at least eight hours of training, in accordance with the written plan of training priorities.

(a) The training shall enhance the skills and competencies of the employee/contractor relevant to his or her job responsibilities and shall include, but is not limited to:

(i) The provisions governing rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code;

(ii) The requirements of rule 5123:2-17-02 of the Administrative Code relating to incidents adversely affecting health and safety including a review of health and safety alerts issued by the department since the previous year's training;

(iii) The requirements relative to the employee's or contractor's role in providing behavior support to the individuals he or she serves; and

(iv) Best practices related to the provision of supported employment-community.

(b) The training may be structured or unstructured and may include, but is not limited to, lectures, seminars, formal coursework, workshops, conferences, demonstrations, visitations or observations of other

(v) Services that comprise supported employment-community as it is defined in paragraph (B)(15) of this rule.

(7) An agency provider shall ensure that each employee, contractor, and employee of a contractor who is engaged in direct provision of supported employment-community, during the first year of employment/contract with the agency provider:

(a) Is assigned and has access to a mentor employed by the agency provider or contractor;

(b) Successfully completes on-the-job training specific to each individual he or she serves that includes, but is not limited to:

(i) Requirements set forth in the individual service plan including skill development goals, service/support activities, behavior support plan, planned interventions, and related documentation requirements;

(ii) The individual's preferences and strengths;

(iii) The individual's diagnoses and related needs;

(iv) The individual's care needs including nutrition, diet and mealtime support, restroom assistance, mobility needs, lifting, and general supervision/support requirements;

(v) Medication administration and delegated nursing, as applicable;

(vi) Teaching techniques and related documentation requirements; and

(vii) The employee's or contractor's role regarding management of the individual's funds and related documentation requirements.

(c) Successfully completes at least eight hours of on-the-job training specific to the provision of supported employment-community that includes, but is not limited to:

(i) Skill-building in vocational assessment, job development and placement, job training/coaching, ongoing job supports, worksite accessibility, developing natural supports, personal adjustment, work adjustment, and vocational planning;

(ii) Benefits, work incentives, and employer tax credits; and

(iii) Self-determination which includes assisting the individual to

(d) Ethical and professional conduct and practice;

(e) Avoiding conflicts of interest; and

(f) Working effectively with individuals, families, and other team members.

(ii) Components of quality care for individuals served, including:

(a) Interpersonal relationships and trust;

(b) Cultural and personal sensitivity;

(c) Effective communication;

(d) Person-centered philosophy and practice;

(e) Development of individual service plans;

(f) Roles and responsibilities of team members; and

(g) Recordkeeping including progress notes and incident/accident reports.

(iii) Health and safety, including:

(a) Signs and symptoms of illness or injury and procedure for response;

(b) Building/site-specific emergency response plans; and

(c) Program-specific transportation safety.

(iv) Positive behavior support, including:

(a) Key principles of positive intervention culture;

(b) Role of direct service staff in creating a positive culture;

(c) General requirements for behavior support plans and intervention strategies and direct service staff role including documentation;

(d) Behavior support review and human rights committees; and

(e) Crisis intervention techniques.

- (4) An independent provider who is the individual's coworker or otherwise employed at the worksite, shall annually complete training in:

 - (a) The provisions governing rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code.
 - (b) The requirements of rule 5123:2-17-02 of the Administrative Code relating to incidents adversely affecting health and safety including a review of health and safety alerts issued by the department since the previous year's training.
- (5) An independent provider, other than an independent provider who is the individual's coworker or otherwise employed at the worksite, shall annually complete at least eight hours of training that enhances his or her skills and competencies relevant to the services he or she provides which shall include, but is not limited to:

 - (a) The provisions governing rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code;
 - (b) The requirements of rule 5123:2-17-02 of the Administrative Code relating to incidents adversely affecting health and safety including a review of health and safety alerts issued by the department since the previous year's training; and
 - (c) Services that comprise supported employment-community as it is defined in paragraph (B)(15) of this rule.
- (6) An agency provider shall ensure that each employee, contractor, and employee of a contractor who is engaged in direct provision of supported employment-community successfully completes, prior to unsupervised contact with individuals, either:

 - (a) The "Professional Advancement Through Training and Education in Human Services (PATHS) Certificate of Initial Proficiency" program;

or
 - (b) An orientation program that addresses, but is not limited to:

 - (i) Organizational background of the agency provider, including:

 - (a) Mission, vision, values, principles, and goals;
 - (b) Organizational structure;
 - (c) Key policies, procedures, and work rules;

within the community.

(b) Supported employment-community may also include services and supports that assist an individual to achieve self-employment through the operation of a business. Such assistance may be provided in the individual's home or the residence of another person and may include aiding the individual to identify potential business opportunities, participating in development of a business plan, identifying potential sources of business financing, gaining assistance to launch a business, identifying supports necessary for the individual to operate the business, and providing ongoing counseling and guidance once the business has been launched. Supported employment-community shall not be used to start-up or operate a business.

(16) "Supported employment-enclave" has the same meaning as in rule 5123:2-9-16 of the Administrative Code.

(17) "Vocational habilitation" has the same meaning in rule 5123:2-9-14 of the Administrative Code.

(C) Provider qualifications

(1) Supported employment-community shall be provided by an independent provider or an agency provider that meets the requirements of this rule and that has a medicaid provider agreement with the Ohio department of job and family services.

(2) An applicant seeking approval to provide supported employment-community shall complete and submit an application and adhere to the requirements of rule 5123:2-2-01 of the Administrative Code except that paragraphs (C)(3)(a), (C)(3)(b), (C)(3)(c), and (K) of that rule do not apply to an independent provider who is the individual's coworker or otherwise employed at the worksite.

(3) Supported employment-community shall be provided by a person who is:

(a) An independent provider who is the individual's coworker or otherwise employed at the worksite as long as the services that are furnished are not part of that person's regular duties for which he or she is compensated by the employer;

(b) An independent provider, other than an independent provider who is the individual's coworker or otherwise employed at the worksite, who has experience or training related to supporting individuals to acquire and maintain jobs in the general workforce; or

(c) An employee or contractor of an agency provider.