



## Ohio's Employment First Funding Redesign Work Group

**Monday October 6, 2014**

**Time: 9:00a to 4:00p**

**Facilitators:** Allan I. Bergman and Lisa Mills PhD

**Attendance:** Kristen Helling (DODD), Chris Filler (OCALI), Stacy Collins (DODD), Steve Koontz (Goodwill Cincinnati), Mary Vail (Goodwill Columbus), Jason Umstot (OPRA), Dave Reichert (Cuyahoga DD), Pete Moore (OACB), Laura Zureich (Champaign/Shelby DD), Monty Kerr (DODD), Dan Ottke (Clermont DD/OAAS), Vic Gable (Wood DD/APSE), Greg Swart (DODD), John Pekar (Fairfield/Vinton DD), Greg Dormer (OOD), Lori Horvath (DODD), Joe Kowalski (DODD), Rick Black (Butler DD), Chris Miller (DODD), Debbie Hoffine (DODD), Clay Weidner (DODD).

**Not present:** Carmen Shelton

### **I. Review Planned Approach (Lisa)**

*Lisa reviewed the work groups Planned Approach:*

- Our charge is the following: Consider what employment and day service array should look like moving forward.
- Develop recommendations for service definitions, provider qualifications and rate methodologies.
- 6 meetings (42 hours of face to face time), assignments between meetings

*Workgroup Approach:*

Service definitions and array, provider and staff qualifications, methodology for determining cost per hour of service, unit type, time/outcome combination, reimbursement rate methodologies.

### **II. Review Guiding Principles and Community Forums (Allan)**

- Allan reviewed with the group the revised guiding principles that were based upon a review of all of the comments received at the funding forums. Total registered attendance at the 12 funding forums: 619 (High, Medina: 193, Low, Circleville: 91). The guiding principles, as stated at the forums, are the foundation to the funding system re-design. We will use these to build the house; Allan encouraged everyone to keep these with them during the entire process.

*\*Please see the guiding principles for funding system re-design.*

- Allan reviewed all four principles including bullets with the edits, changes and additions from the input that was relevant to the four principles:
- *Presumption of Employability for All:* How do we ensure we reflect need and not hours only?

- *Continuous Improvement*: It is our goal for DODD and OOD to use the same language and rate methodology, as best as possible, in order to assure consistency and maximum opportunity for braiding of funding streams for the services that are the same.
- *Provider Competencies*: No concerns or questions addressed.
- *Flexibility*: #1 The goal of this is to be able to deal with unanticipated events/situations that occur while people are working in order to help someone keep their job or maintain their job long-term. This is narrow by design.
- *Allan then presented a list of other issues raised in the forums that are not part of the principles, but are relevant to the larger Employment First agenda. These are captured in a summary document that can be found here:*  
[http://www.ohioemploymentfirst.org/up\\_doc/DODD\\_Employment\\_1st\\_Funding\\_Redesign\\_Forums\\_Feedback\\_Initial\\_Summary.pdf](http://www.ohioemploymentfirst.org/up_doc/DODD_Employment_1st_Funding_Redesign_Forums_Feedback_Initial_Summary.pdf)

### III. **Review highlights of federal guidance and expectations via the CMS Guidance on Employment Services in HCBS waivers from September 2011 and DOJ Statement on the Enforcement of Title II of the ADA and Olmstead June 2011, provided to Work Group (Lisa)**

- See CMS Informational Bulletin dated September 16, 2011.
- See co-worker model of support. Pathways to Careers Program in Utah. [Website](#) and [PowerPoint](#).
- Lisa asked everyone to start with a clean slate to help move Employment First forward. What is the array of services that need to be available to help people move into competitive, integrated employment? What services need to be provided before someone goes to OOD? The point for the next sessions is to put aside what is and write/create the new way. Our goal is to develop recommendations for the state on service definitions to help everyone have an equal opportunity to make it to and be successful in competitive, integrated employment and career advancement
- Lisa reviewed highlights on the definitions of integration and segregation in DOJ guidance from June 2011- See US Dept. of Justice Report

### IV. **Review of Innovative Service Titles and Definitions from Other States (Lisa)**

- Delaware 1915i State Plan Amendment (SPA) focusing on youth between 14 and 25 years of age, cross-disability and a full array of transition services and supports. See document provided.
- Oregon DD Waiver Changes- Details included in presentation.
- Wisconsin- 2009

### V. **Small Groups: Review Current Waiver Services and Definitions, Make Recommendations for Changes**

#### **a. Service Array Options:**

- Flexibility of services (encourage a strategic flexibility which can be personalized based on individual career plan and goals-OUTCOME)
- Be sure definitions and expectations for each service are very clear
- Career planning (include helping with OOD referral and application)

- Discovery/assessment for Customized Employment
- Mentorship
- Pre-vocational and skill development, time limited, individual or small group in integrated community settings
- Community based skill development in integrated settings
- Vocational education, skill training in integrated settings with industry recognized credentials; time limited and competency-based
- Soft Skills
- Volunteer opportunities (review D.O.L. regulations)
- Transportation
- Job shadowing (business tours)
- Job sampling
- Informational interviews (business tours)
- Job development/employer outreach
- Job placement and employer negotiations
- Career planning for advancement, at least annually
- Employment Navigator
- Self-employment- connection to local resources- SBA- SCORE, etc.
- Co-worker model of ISE
- Employment counseling
- Social responsibility
- Customized employment
- Assistive and adaptive technology (mobile technology)
- Expand Bridges summer youth model of work experience for adults, paid
- Career exploration and trial work (OOD)
- Person-centered planning and assurance of an informed choice process that is experientially based
- Resume development
- Interview skills
- Benefits education, analysis, planning, and counseling
- Asset planning/financial planning; could be classes
- On the job supports
- Job follow-a-long
- ISE training- increase outcomes, employability, and self-management skills
- Functional behavior assessment

***b. Review HCBS Waiver: Integrated Employment under the self-empowered life funding waiver. (5123:2-9-44)***

- Clarity of "sustained" employment
- Like exclusion of sheltered work or other types of vocational services furnished in specialized facilities

- Question of whether internship/apprenticeship allowed under CMS as integrated employment – would this be better under prevocational?
- Retention to include crisis intervention- flexibility
- Align documentation with audit needs & program expectations/outcomes
- Review provider qualifications and best practices to meet service definitions
- Support broker- need for some reference to or knowledge of Employment First and the system
- \*Employment needs to be a core competency
- Initial vs. on-going support and payment methodology
- Acquire and maintain, to acquire or maintain (Integrated Employment definition)
- Need to define general workforce (Integrated Employment definition)- check VR policy
- Why did we not adopt title SE- individual or SE-community for SELF waiver from CMS?? This was on purpose due to being separate from the AAI
- Flexibility is currently not present with current funding structure and AAI
- Looked at initial and on-going rates.....no time limit to initial rates and actually incentivizes providers to continue billing for initial supports and no incentives to fade support and increase co-worker supports
- Co-worker model of support- evaluate restructuring
- Youth in transition
- Importance of braiding OOD role
- How are we looking at how people transition in/out of services and are we setting benchmarks?
- Learn from VR. collaborative initiative with DODD

**c. Review HCBS Waiver- Supported Employment Community:**

- Discussed vocational assessment components included in (17)(a)(i) of the SE-C Rule
- Competitive definition is not on any of these documents, nor level of interaction between people with disabilities and people without disabilities
- Expand menu to include benefits analysis and wrap-around integrated community activities
- Discussed staff qualifications and competencies
- Liked milestones and payments as long as adjusted, where needed, for acuity
- Transition is not highlighted or included.....how does their service delivery fit? Need to add or embed this into rule.
- Evaluating additional items under the terms (job development and placement) --- is more definition needed. \*\*\*Or does this fit under provider competency and capacity?
- Need to look at definitions for resumes, job seeking skills, customized jobs, individualized service plan (ISP), no definition for person-centered planning (PCP), Connect ISP to PCP
- Better alignment with OOD is needed

- Rule is too rigid and not flexible
- We need to start from the person's perspectives- options/choices, etc. Each community/county is different

**a. Review HCBS Waiver- Enclave Quick Discussion**

- Now 1:12 ratio; CMS guidelines are groups of 2-8; earlier discussion was to cap at 3-4 people
- No time limit at this time; should have a time limit
- No expectation that the service will lead to competitive, integrated employment; need to change the expectation
- Open loop to sheltered work
- Some are paid sub-minimum wage

**VI. Discussion Points:**

1. Should we make facility-based settings permissible with the work we are doing through this project? This led to discussion that either way, at the end of the day, we have to deal with not only CMS but also DOJ. This led to good discussion including federal contract programs like Source America and the implications of its 75%/ 25% ratio of persons with disabilities to persons without disabilities.
2. Why does the integrated employment service under SELF waiver indicate that the service is only available after graduation or while not in school and this is not the case in SE-community?
3. Important for the discussion when we talk about rates, how do we keep to the principles.....and prepare for supporting individuals of differing needs.
4. What are the core-competencies that providers need? Different sets of competencies based on service structure. Where is the training and capacity building?
5. Provider recruitment needs to be addressed.
6. Person-Centered Planning leads to goals and outcomes.....services should be designed based on the individual.
7. Base this rule on the person centered planning process already in rule (SSA and EF)
8. Is outcome or process more important? CMS: documentation of service delivery?
9. **Two Big questions to address:**
  - a. *Does it matter who is the actual employer of record of the individual, if it meets all other aspects of the rule?*
  - b. *When do services go from job support to personal care support? (Personal assistants)*

***Final Message:***

***We need to start with a clean slate based on the service array-where we start from the person's perspective.***

**VII. Homework:**

1. Think about the future of adult day support, voc hab, and enclave (group size and time limit). What changes would you like to see happen?

2. List the services/supports that could be available under adult day support/voc hab to support employment or to plan for retirement services.