

Authorization: Dan Haun
Policy/Program Development Interim Manager

Number: VR-PT-15-01
Issue date: 4/21/15

Topic: 3.14 Supported Employment

Subject: Revisions to Supported Employment policy 3.14 to align with the Workforce Innovations and Opportunity Act of July 22, 2014.

Applies to (check all that apply):

<input checked="" type="checkbox"/>	Vocational Rehabilitation – All Staff
<input type="checkbox"/>	Vocational Rehabilitation – Executive Team
<input type="checkbox"/>	Vocational Rehabilitation - Administration
<input type="checkbox"/>	Vocational Rehabilitation – Branch Managers
<input type="checkbox"/>	Other (please specify)
<input type="checkbox"/>	Other (please specify)

Background:

Supported employment is a rehabilitation strategy and an employment outcome. Supported Employment developed nationally in the 1980's, because the overall system had failed to secure and maintain competitive integrated employment for individuals with the most significant disabilities. Supported employment strategies were developed to better serve individuals who experience intellectual or developmental disabilities; mental illness; or, traumatic brain injuries as well as those who, because of the nature and severity of their disability need long term extended supports to maintain employment. Beginning in the 1990's, state Vocational Rehabilitation (VR) agencies including Oregon, received annual supported employment funding from Rehabilitation Services Administration

Supported Employment focuses on identifying an appropriate vocational goal, vocational rehabilitation services, and long-term support services to assist a participant to find and keep a job. Comprehensive pre-employment activities set the stage for Supported Employment and information gathered during these activities facilitates development of the participant's Individualized Plan for

Employment (IPE).

VR Roles and Responsibilities:

Supported Employment is employment with supports in competitive integrated employment that is individualized and customized, consistent with the strengths, abilities, interests, and informed choice of the participants involved.

Supported employment services are collaborative, combining short-term vocational rehabilitation services with long-term, extended services designed to maintain employment after VR has successfully closed a participant's case file. Publically funded, extended ongoing supports, regularly available from designated community-based providers is a hallmark of long-term, extended services. Natural supports or employer provided supports may also be an option for some participants' ongoing support needs.

Vocational Rehabilitation Counselor (VRC) responsibilities are:

- 1) Determine eligibility, 2) Provide counseling/guidance, 3) Develop the individualized employment plan and actively coordinate services (e.g. training, placement) necessary to secure employment, and 4) Evaluate and assure employment is stable.

Applicants with intellectual or developmental disabilities should not be denied services because they do not have a Career Development Plan or Discovery Profile at the time of the referral. For more information about DD-funded employment services, see Supported Employment -- I/DD TAG.

When working with applicants with a mental health disability who are receiving individualized placement and support services (IPS), see the “Supported Employment – Mental Health IPS Model TAG” for information.

VR is responsible for the determination of necessary rehabilitation services. Counselors shall maintain an active role in the development, implementation and monitoring of supported employment files. Counselors shall evaluate the appropriateness of services recommended by the referring and/or providing agencies, using them to shorten eligibility and plan development timelines whenever possible.

Supported Employment Policy Features and Definitions

Collaboration – supported Employment is, by definition and ideally, collaboration between VR and the applicant's team (e.g., applicant, referring and other professional staff and/or family). The counselor will ideally work with members of that team from referral, through IPE development, employment, job

stabilization, and transition to extended services. Decisions made will impact both the time limited and extended support services. Joint planning and review are essential throughout the process.

Competitive integrated employment — full or part time work where the Workforce Innovation and Opportunities Act requires that the individual: 1) receives compensation at not less than the higher of Federal or State minimum wage and not less than the customary rate paid by the employer for the same or similar work performed by other employees who do not have a disability; 2) is eligible for the level of benefits provided to other employees; 3) is employed at a location where they interact with other persons who do not have a disability (not including supervisory personnel); 4) is provided, as appropriate, opportunity for advancement.

Customized employment -- means competitive integrated employment, for an individual with a significant disability, that is: 1) based on an individualized determination of the strengths, needs and interests of the individual with a significant disability, 2) designed to meet the specific abilities of the individual and the business needs of the employer, and 3) carried out through flexible strategies.

Extended services – are defined as on-going support services and other appropriate services needed to support and maintain an individual in competitive integrated employment; that are provided by a state agency, a private nonprofit organization, employer, or any other appropriate resource, after an individual has made the transition from support by VR.

Group employment (i.e., work crew) is not an acceptable VR outcome.

Integrated setting is typically found in the community and the employee with a disability interacts to the same extent that employees without a disability, with other employees within the work site and , as appropriate, other persons, who do not have a disability (not including supervisory or individuals who are providing services to the employee).

Job carving – for competitive integrated employment occurs when an existing job description is modified — containing one or more, but not all, of the tasks from the original job description (United States Department of Labor website www.dol.gov/odep/categories/workforce/CustomizedEmployment/what/).

Job development specialized strategies – when seeking customized-integrated employment for individuals with the most significant disabilities,-job carving and customized employment are strategies that should be considered. Job developers and other employment specialists should know about and have the expertise to use these specialized tools.

Job stabilization -- is the expected point of transition to extended support services funded by an agency other than VR, that has been jointly agreed upon. The extended services are identified in the IPE and occur when the participant:

- Is working the number of hours per week identified in the IPE, or close to the number with plans to increase hours;
- Is satisfied with the type of work;
- Is performing adequately in their own opinion and according to the employer,
- Extended services are available and on-going to maintain the job.

Ongoing support services – are the specific, time limited VR funded supports designed to address job site and work related skills deemed necessary for the specific participant to succeed on the job. Examples are job training, social skills, building natural supports, and twice a month check-ins with the employer. Ongoing support services are provided by VR until job stabilization is reached and the transition is made to extended support services, natural supports, or both. Each participant’s need determines the length of time that VR provides on-the-job support services.

For more information see:

- Supported Employment -- Intellectual/Developmental Disability TAG
- Supported Employment – Mental Health IPS Model TAG
- VR --- Informational Transmittal (IM) – 15 – 01: Job Stabilization.

References:

Workforce Innovation and Opportunities Act; proposed regulations, released 4/15/15.

Current Code of Federal Regulations

- 361.5(b) Other definitions:
- 363.1 What is the State Supported Employment Services Program
- 363.3 Who is eligible for supported Employment Services
- 363.4 What are the Authorized Activities under a State Supported Employment Services Grant
- 363.6 What definitions apply
- 363.54 What requirements must a State meet before it provides for the transition of an individual to extended services
- 363.55 What are the requirements for successfully rehabilitating an

individual in supported employment

Discussion/Interpretation: Revision of 3.14 Supported Employment policy released 7/11/15.

Training/Communication Plan: No; all staff were already trained on original Supported Employment Policy 3.14.

Local/Branch Action Required: Change practices, as needed to align with revised policy.

Administrative Action Required: Post final policy on VR Website. Revise policy on release of final W.I.O.A. regulations, as needed.

Field/Stakeholder review: Public hearings held 3/19, 23, 25&27/15

Filing Instructions: File with VR Staff Policy Manual; replace former 3.14 Supported employment

If you have any questions about this information, contact:

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Number: VR-IM-15-02
Issue date: 4/21/15

Topic: Supported Employment Procedures

Subject: 3.14 Supported Employment for individuals with the most significant disabilities -- procedures

Applies to (*check all that apply*):

<input checked="" type="checkbox"/>	Vocational Rehabilitation – All Staff
<input type="checkbox"/>	Vocational Rehabilitation – Executive Team
<input type="checkbox"/>	Vocational Rehabilitation - Administration
<input type="checkbox"/>	Vocational Rehabilitation – Branch Managers
<input type="checkbox"/>	Other (please specify)
<input type="checkbox"/>	Other (please specify)

Message:

Timelines

Are based on participant needs (see **Supported Employment Timelines TAG**, for guidance regarding length of supported employment services).

Working with Special Populations

- Supported Employment -- Intellectual/Developmental Disability TAG
- Supported Employment – Mental Health IPS Model TAG (in development)
- VR – Informational Transmittal (IM) – 15 – 01: Job Stabilization
- 6.11 Transition Policy (in development)
- Transition Procedures (in development)

VR Procedures:

A. Referrals

When an outside agency or school contacts the local VR office to refer an individual with most significant disabilities, to VR for supported employment, an application meeting is scheduled. The individual, referring staff, and other members of the individual's team plus the VR Counselor become core members of the individual's employment team. During this initial meeting, the team will review information brought to the meeting by the referring staff or the individual. This meeting is expected to end with completion of a VR application and opening a VR file. Members of the core team will ideally participate in key planning meeting(s).

B. Eligibility

Supported Employment Eligibility criteria follow Eligibility criteria (See Policy 2.8 Eligibility), with these exceptions and/or enhancements: Federal regulations do not allow the VR counselor to find an individual ineligible because the source of extended services is not formally identified. During the eligibility process, an individual is either determined eligible or ineligible for VR services. The identification of the source of long-term supports is a pre-plan activity and will be discussed in greater detail later in this policy.

The timeline for confirming eligibility should be shortened in Supported Employment when the above mentioned team attends the intake meeting and brings needed documentation, information, and knowledge about the individual.

C. Assessment for Supported Employment

Assessment for Supported Employment follows Assessment criteria found in Policy 2.11 Assessments.

D. Services and providers

VR shall provide services in a community setting that meets supported employment criteria. Services and Vendors for Supported Employment follow Policy 3.3 Vendor Selection with the following additions to the Services list:

- Job development or placement
- Job carving
- Customized job development
- Job coaching

Benefits planning is a critically important service when working with individuals pursuing supported employment. Through benefits planning, individuals learn how work will affect their benefits as well as potential work incentives they can use to help them overcome barriers. Without benefits planning, it is difficult for the individual to set employment goals like how many hours of work per week. The VR Counselor will ideally make a referral for benefits planning as early as possible and at least by pre-plan.

E. The Individualized Plan for Employment (IPE)

The Individualized Plan for Employment (IPE) follows Plan Development criteria found in Policies 3.1 Time to Plan and 3.2 Summation of Vocational Planning and 3.3 Basic elements of a Rehab Plan, with these additions and/or exceptions:

1. Plan

The participant, support agency, service provider and other significant parties coordinate with VR to develop the IPE. To increase the potential for success, the roles and responsibilities for the participant, VR, and other support agencies will need to be articulated as part of the IPE. Each team member must clearly understand their roles and responsibilities. VR shall provide copies of the plan to the participant and the support agency(s). VR shall follow all confidentiality and privacy procedures. (see Section 1: Rights & Responsibilities)

The availability of extended support funding and services is not an eligibility issue, but one of resource availability. Sources of ongoing or extended supports could be funded through Medicaid funding, private funds, or individual or family participation or natural supports. If these latter resources are utilized care should be taken to insure their ongoing availability. The provision of long term supports is so fundamental to supported employment that the IPE cannot be written without identifying the source of extended supports or inclusion of a statement outlining the basis for the expectation that a source of extended supports will be developed in the course of the plan's execution.

2. Plan Elements

The Supported Employment Plan mirrors the customary IPE with these additions:

- A statement noting how many hours the individual will work per week.
- A description of integration with non-disabled co-workers.
- A description of the ongoing support services. VR-provided ongoing support should be tied to participant need, and not the

availability of extended support services from other sources.

3. Monitoring Progress

The job developer will submit a monthly report to the Counselor, noting:

- Services provided (hourly interventions by date).
- Progress toward established IPE goals; with specific information about job development progress when specialized job development strategies are needed by the individual.
- A projection of anticipated hours of service in the next 30-day period.

VR reviews the report and summarizes progress or problems toward completion of the IPE. The counselor shall make appropriate changes and provide updates to the supported employment team. Additional team meeting(s) are scheduled as needed.

4. Ongoing/Supported Employment Services – length of service

VR provides ongoing/supported employment services between placement and job stabilization. This includes all necessary training and job stabilization activities that occur between placement on a job and transition to extended and/or natural support. Participant need and the time it takes that participant to reach job stabilization are used to determine how long VR provides the services. (see **Supported Employment Timelines Tag** for guidance regarding length of supported employment services).

F. Closure

Closure for Supported Employment follows Closure criteria found in Policy 3.10 Case Closure, with these additions and/or exceptions:

- 1) the job meets the vocational goal in the plan; 2) the participant is working the hours per week in the plan, performing work and receiving compensation with the same benefits and wages as other workers in similar jobs and is performing these tasks on a regular basis to the employer's and their own satisfaction; 3) there has been a smooth and effective transition to long term supports with no break in support services; 4) the VR file is kept open at least 60 days after transfer to extended services.

At closure VR documents all issues normally covered in a general program successful closure with these additions:

- Describes the community-based employment situation (type of work, designated employer issuing the paycheck, weekly hours, wage per hour and level of benefits).
- The level and adequacy of ongoing, follow-along support.
- A comprehensive summary of the participant's service needs after

closure that: 1) identifies specific services the ongoing support agency will provide; 2) determines the need for and appropriateness of rehabilitation post-closure VR services.

G. Appeal Rights

Appeal Rights for Supported Employment follows Appeal Rights criteria found in Section 1: Rights and Responsibilities.

If you have any questions about this information, contact:

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Number: VR-IM-15-04
Issue date: 4/21/15

Topic: Technical Assistance Guide (TAG) – Timelines

Subject: 3.14 Supported Employment – TAG for timelines for Supported Employment Services

Applies to (check all that apply):

<input checked="" type="checkbox"/>	Vocational Rehabilitation – All Staff
<input type="checkbox"/>	Vocational Rehabilitation – Executive Team
<input type="checkbox"/>	Vocational Rehabilitation - Administration
<input type="checkbox"/>	Vocational Rehabilitation – Branch Managers
<input type="checkbox"/>	Other (please specify)
<input type="checkbox"/>	Other (please specify)

Message:

All VR services are short term and time limited. The difference in the process leading to a supported employment placement is that two additional time limits are noted.

VR services are individualized and based on participant need. Participants who experience the most severe disabilities may require specialized services including supported employment. Supported employment participants require support and potentially more time to learn to do their job and maintain their job over time. Therefore, additional timelines are allowed in supported employment and participant need determines the amount of time used. See “Supported Employment – Mental Health IPS Model TAG” when working with applicants receiving IPS.

Timelines

VR Services generally are to be delivered within a specified amount of time:

1. Eligibility must be determined within 60 days after application (for information about necessary extensions, see Policy 2.8 Eligibility).
2. The participant's IPE must be completed within 90 days after eligibility determination. For information about possible extensions, see Policy 3.1 Time to Plan.
3. To assess applicant eligibility and VR needs, VR should whenever possible, review existing data, ideally shortening eligibility and pre-plan timelines.

VR Supported Employment Services follow the above list of timelines, with these additions:

1. Supported employment services can be provided up to 24 months between job placement and transfer to long term, extended support, but only if indicated by client need.
2. When job stabilization is reached, the client transfers to ongoing extended support provided by other than VR. The VR file is closed at least 60 days after transfer. For information about Job Stability, see Information Memorandum Transmittal VR-IM-15-01.

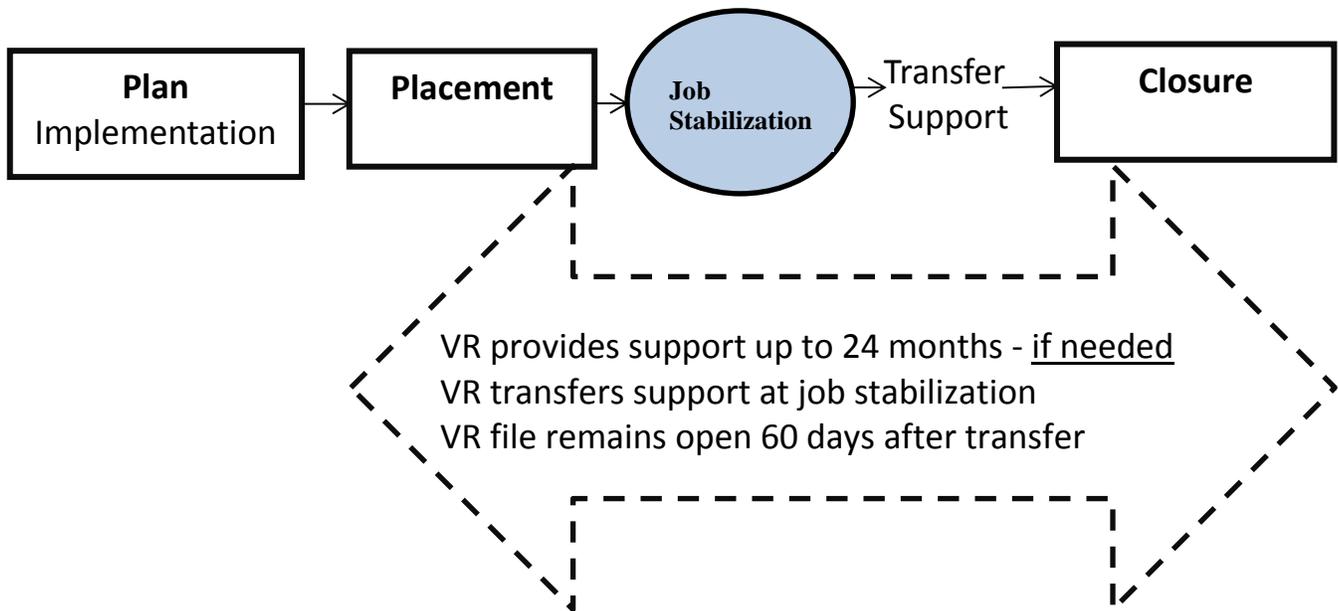
For an overview of the Supported Employment process and the added Supported Employment timelines, see Chart1: ***Supported Employment Process & Timelines***, below.

Chart 1: Supported Employment Process and Timelines

Part 1



Part 2



If you have any questions about this information, contact:

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Number: VR-IM-15-01
Issue date: 5/1/15

Topic: Job Stabilization

Subject: 3.14 Supported Employment for individual with intellectual and/or developmental disabilities -- policy clarification

Applies to (*check all that apply*):

<input checked="" type="checkbox"/>	Vocational Rehabilitation – All Staff
<input type="checkbox"/>	Vocational Rehabilitation – Executive Team
<input type="checkbox"/>	Vocational Rehabilitation - Administration
<input type="checkbox"/>	Vocational Rehabilitation – Branch Managers
<input type="checkbox"/>	Other (please specify)
<input type="checkbox"/>	Other (please specify)

Policy:

Vocational Rehabilitation (VR) services are short term and time limited and based on participant need. Supported employment participants with intellectual/developmental disabilities may require ongoing long-term support from an agency other than Vocational Rehabilitation to increase or maintain their employment. Individuals eligible for waiver-funded services through the Office of Developmental Disabilities Services (ODDS) can receive ongoing long-term employment support (i.e., ongoing job coaching). Job Stabilization is the point when transition to extended long-term support services funded by an agency other than Oregon Vocational Rehabilitation can begin.

Job stabilization has multiple components delineated in the Code of Federal Regulations:

- The individual has reached the employment outcome in their Individualized Plan for Employment (IPE)
- The individual has met or made substantial progress toward meeting the hours-per week work goal
- The individual and the vocational rehabilitation counselor (VRC) consider the employment outcome to be satisfactory and agree that the individual is performing well on their job

- The employer is satisfied that the individual is performing well on their job
- Extended (i.e., ongoing long-term) services are available and can be provided without an interruption in services

The expectation in federal statutes and Oregon VR policy is that transition to ongoing long-term support provided by ODDS waiver funding take place at or very near the point of job stability.

The individual's IPE file remains open after transition for a period of time determined by individual need and case closure requirements (i.e., on the job for a minimum of 90 days).

Rehabilitation Services Administration (RSA) guidance is that in Supported Employment, case closure not happen until 60 days after transfer to other than VR long term support.

Implementation Guidance:

The individual and the vocational rehabilitation counselor (VRC) must agree on job stability and case closure and the Services Coordinator or Personal Agent who authorize ongoing long-term support must be aware of these discussions. Ideally, members of the individual's team, including referral agency staff (e.g., Service Coordinator, Personal Agent, Mental Health agency staff, Housing staff) will be a part of the discussion around these two issues. Discussions about job stability and transfer to long-term support begin at the latest at the point of the job offer and preferably during plan development. Early discussions account for time needed by the Service Coordinator or Personal Agent to revise the Individual Support Plan (ISP) and engage a long-term support provider, assuring a smooth transition.

Supported Employment services are individualized and the time it takes to reach job stability is based on each individual's needs. One scenario is job stability one month into the job, with immediate transition to non-VR support. Other individuals will require VR services for a longer time. Examples when individuals may require a wait of two, three, or more months into the job before transition to ongoing long-term support include:

- A turnover of the supervisor or co-workers that requires significant work with the new staff
- Extra time is needed to learn the job for any reason (e.g., job tasks vary from day to day or week to week; the job changed after the supervisor got to know the individual; communication is an issue for the individual or the employer/co-workers)

References:

Federal Code of Regulations Title 34; Sections:

- 363.4 What are the authorized activities under the State Supported Employment Services program?
- 363.53 What requirements must a State meet before it provides for the transition of

an individual to extended services?

- 363.54 When will an individual be considered to have achieved an employment outcome in supported employment?
- 361.56 Requirements for closing the record of services of an individual who has achieved an employment outcome.

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Number: VR-IM-15-03
Issue date: 4/21/15

Topic: Technical Assistance Guide (TAG) – Intellectual and/or Developmental Disability (IDD)

Subject: 3.14 Supported Employment – TAG for working with participants with IDD

Applies to (check all that apply):

<input checked="" type="checkbox"/>	Vocational Rehabilitation – All Staff
<input type="checkbox"/>	Vocational Rehabilitation – Executive Team
<input type="checkbox"/>	Vocational Rehabilitation - Administration
<input type="checkbox"/>	Vocational Rehabilitation – Branch Managers
<input type="checkbox"/>	Other (please specify)
<input type="checkbox"/>	Other (please specify)

Message:

Supported Employment is a strategy where agencies collaborate to provide employment services for participants with the most significant disabilities.

Collaboration includes participation in meetings where client eligibility and planning takes place. Key meetings to invite Brokerage or CDDP staff include:

- The first meeting with the VR Counselor where the applicant’s eligibility, strengths, interests, and accommodation needs are discussed. The referring staff from these DD agencies are the most likely to know all the information needed and their history with the applicant adds a wealth of information that can dramatically shorten the eligibility AND planning timelines as well as support and assistance to the applicant.
- At least one planning meeting where services, timelines and expectations are discussed and job stability is defined for the participant.

The Office of Developmental Disability Services (ODDS) applied for employment specific waiver funding in 2014. Individuals with I/DD, who are eligible for DD waiver funding, are eligible for waiver-funded short term pre-employment services and long term job coaching.

Pre-employment services like Career Development Plan, Person Centered Planning, Employment Path, and Discovery are important tools in assisting participants to identify employment goals and needed supports.

The Office of Developmental Disabilities Services (ODDS) expects that at referral to VR each applicant will have a Career Development Plan (as a part of their ISP) and may have a Discovery Profile or have participated in other pre-employment services. Supported employment is collaborative; when applicants come without needed pre-employment services, the Counselor may ask the applicant's PA or SC to approve DD funded employment service(s) after they have applied for VR services.

Definitions from ODDS Final Employment Rule (411-345; revised 12/28/14).

- **Career Development Plan**-- means the part of an ISP that identifies:
(a) The employment goals and objectives for an individual; (b) The services and supports needed to achieve those goals; (c) The people, agencies, and providers assigned to assist the individual to attain those goals; (d) The obstacles to the individual working in an individualized job in an integrated employment setting; and (e) The services and supports necessary to overcome those obstacles.
- **Discovery** - a comprehensive and person-centered employment planning support service to better inform an individual seeking an individualized job in a Competitive Integrated Employment setting and create a Discovery Profile. It includes a series of work or volunteer related activities to inform the individual and the Job Developer about the individual's strengths, interests, abilities, skills, experiences, and support needs, as well as to identify the conditions or employment settings in which the individual will be successful. It is also an opportunity for the individual to begin active pursuit of competitive integrated employment. [DHS, Developmental Disabilities Oregon Administrative rules 411-345-20(17)].

- **Employment Path Services** -- means services to provide learning and work experiences, including volunteer opportunities, for an individual to develop general, non-job-task-specific strengths, and skills that contribute to employability in competitive integrated employment settings.
- **ISP** -- means "Individual Support Plan an ISP includes the written details of the supports, activities, and resources required for an individual to achieve and maintain personal goals and health and safety. The ISP is developed at least annually to reflect decisions and agreements made during a person-centered process of planning and information gathering. The ISP reflects services and supports that are important for the individual to meet the needs of the individual identified through a functional needs assessment as well as the preferences of the individual for service providers, delivery, and frequency of services and supports. The ISP is the plan of care for Medicaid purposes and reflects whether services are provided through a waiver, the Community First Choice state plan, natural supports, or alternative resources. The ISP includes the Career Development Plan.
- **Person-Centered Planning** --
Means a timely and formal or informal process driven by an individual, includes people chosen by the individual, ensures the individual directs the process to the maximum extent possible, the individual is enabled to make informed choices and decisions. Person-centered planning includes gathering and organizing information to reflect what is important to and for the individual and to help: Determine and describe choices about personal goals, activities, services, service providers, service settings, and lifestyle preferences; Design strategies and networks of support to achieve goals and a preferred lifestyle using individual strengths, relationships, and resources; and Identify, use, and strengthen naturally occurring opportunities for support at home and in the community.
The methods for gathering information vary, but all are consistent with the cultural considerations, needs, and preferences of the individual.

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