



TEXAS

Department of Aging
and Disability Services

What Are Employment Services?

- Employment services in the waivers are intended to assist individuals to find and maintain community employment, i.e.: Employment Assistance (EA) vs. Supported Employment (SE).
- SB 45, passed by the 83rd legislature, required that all Medicaid waivers offer EA and SE. DADS added the Consumer-Directed Services (CDS) option for both EA and SE as recommended by stakeholders.

Employment Assistance

Employment assistance:

- is assistance provided to an individual to help the individual locate competitive employment in the community;
- consists of a service provider performing the following activities:
 - identifying an individual's employment preferences, job skills, and requirements for a work setting and work conditions;
 - conducting training on the identified needs related to the above;
 - locating prospective employers offering employment compatible with an individual's identified preferences, skills, and requirements;

Employment Assistance cont.

- contacting a prospective employer on behalf of an individual and negotiating the individual's employment;
- transporting the individual to help them locate paid employment in the community; and
- participating in service planning team meetings;
- is provided in accordance with the individual's IPC and with Appendix C of the MDCP waiver application approved by CMS and found at www.dads.state.tx.us;
- **should not** be provided to an individual who is also simultaneously receiving respite, flexible family support services, or supported employment; and

Employment Assistance cont.

- does not include using Medicaid funds paid by DADS to the program provider for incentive payments, subsidies, or unrelated vocational training expenses such as:
 - paying an employer:
 - to encourage the employer to hire an individual;
 - for supervision, training, support and adaptations for an individual that the employer typically makes available to other workers without disabilities filling similar positions in the business;
 - paying the individual:
 - as an incentive to participate in employment assistance activities;
 - for expenses associated with the start-up costs or operating expenses of an individual's personally-owned business.

Estimation of needed service hours for EA

- An individual's specific needs for training, available natural supports, and preferences for employment will determine the hours needed. Some broad guidelines to consider include:
 - A good employment profile is critical in pursuing an appropriate job match for the individual.
 - Conducting the necessary discovery process to develop a meaningful employment profile will often require a minimum of 10 hours.

Developing an Employment Profile

Example activities for developing an employment profile include:

- Conducting interviews with the individual and people who know how the individual responds when exposed to different environments and conditions.
- When exploring available options, accompany the individual to several businesses in the community to observe the individual's behaviors and interactions with others and discuss employment preferences.
- Identify the individual's dislikes to ascertain what factors might be barriers to success in a particular work environment.

Examples of EA Training Activities

Hours required for Employment Assistance training activities will vary as the following examples illustrate:

Preferences:

- The individual and his parents want to be certain that earned income will not disqualify the individual from their Medicaid State Plan benefits. Training regarding Social Security work incentives and how to calculate the maximum amount of earned income allowed is appropriate.
- The individual wants to work with animals but the individual's health risk factors limit options for most animal husbandry activities. Exploration of possible job opportunities which would not risk the individual's health but might fulfill the desire to be around animals is appropriate.

Examples of EA Training Activities cont.

Requirements for a work setting:

- The individual wants to work at a popular local food establishment but the employment profile discovery process has identified that the individual will become very agitated in a high-stimulus environment. Training on viable coping strategies specific to the desired work environment is appropriate.

Job skills:

- The individual has never been employed and may require training on how to fill out an application, how to present themselves as a potential candidate and how to respond to questions during an interview. Training may involve several role playing activities using various employment scenarios.

Successful Employment

Once a successful job match has been made and the individual is employed, employment assistance services are closed on the IPC and supported employment services are added to the IPC.

Supported Employment

Supported employment:

- is assistance provided to an individual:
 - who, because of a disability, requires intensive, ongoing support to be self-employed, work from home, or perform in a work setting at which individuals without disabilities are employed;
 - in order for the individual to sustain competitive employment; and
 - in accordance with the individual's IPC, and with Appendix C of the MDCP Program waiver application approved by CMS and found at www.dads.state.tx.us;

Supported Employment cont.

Supported employment:

- consists of a service provider performing the following activities:
 - employment adaptations, supervision, and training related to an individual's disability;
 - providing transportation to support the individual's efforts to be self-employed, work from home, or perform in a work setting; and
 - participating in service planning meetings;

Activities Excluded From Supported Employment

Supported Employment:

- **should not** be provided to an individual who is also simultaneously receiving respite, flexible family support services, or employment assistance;
- does not include sheltered work settings or similar types of vocational services furnished in specialized/segregated facilities, or using Medicaid funds paid by DADS to the program provider for incentive payments, subsidies, or unrelated vocational training expenses such as:

Activities Excluded From Supported Employment cont.

- paying an employer:
 - to encourage the employer to hire an individual;
- paying the individual:
 - as an incentive to participate in supported employment activities; or
 - for expenses associated with the start-up costs or operating an individual's business.

Authorization of SE Services

- For individuals who are already, or will become competitively or self-employed, the case manager, in consultation with the service planning team, determines if the individual needs paid supports to sustain employment.
- If the individual has received or is receiving assistance with employment through DARS and requires SE through the waiver, the case manager will include those services and supports in the individual's IPC prior to DARS closing out the individual's services.

Authorization of SE hours

- The amount of hours authorized depends upon many factors which may include:
 - The individual's comfort level
 - the amount of natural support available
 - the geographical distance of the job from the home or school
 - the individual's specific physical, cognitive and emotional challenges in relation to the specific demands of the job
 - the employer's expectations/management style.

Service Provider Qualifications

The EA and SE service provider will need to satisfy one of these options:

- Option 1:
 - a bachelor's degree in rehabilitation, business, marketing, or a related human services field; and
 - six months of paid or unpaid experience providing services to people with disabilities.
- Option 2:
 - an associate's degree in rehabilitation, business, marketing, or a related human services field; and
 - one year of paid or unpaid experience providing services to people with disabilities.
- Option 3:
 - a high school diploma or GED, and
 - two years of paid or unpaid experience providing services to people with disabilities.

Role of the Case Manager:

Coordinate and Share Information

- Coordinate with other agencies, particularly HHSC, regarding an individual's continued Medicaid eligibility once he or she begins work, and with DARS and local school districts, to seek these third party resources before using EA through the MDCP waiver
- Devote time during an individual's initial service planning meeting to discuss employment with the individual and his/her family and the process to obtain employment services and supports;
- Continue to explore the possibility of employment at subsequent service planning meetings for individuals who are not employed in the community;

Role of the Case Manager:

Coordinate and Share Information

- Affirm/explain how individuals can work and still maintain their medical benefits (e.g., through the Medicaid Buy-In program), and in most cases, have an increase in income;
- Explain rights to appeal if services are denied, reduced, or terminated; and
- Monitor whether the individual/family is satisfied with his or her employment supports.

The Department of Assistive and Rehabilitative Services (DARS)

- Before using EA, the individual must first seek services from the Department of Assistive and Rehabilitative Services (DARS). Also known as the vocational rehabilitation (VR) agency, DARS is the state agency whose primary focus is assisting individuals with disabilities to obtain integrated, competitive employment.
- The individual, and any other support persons as requested by the individual, should meet with the DARS VR Counselor to apply for DARS services as soon as the individual identifies an employment goal. To locate the nearest DARS office, visit <http://www.dars.state.tx.us/drs/offices/OfficeLocator.aspx> or call 1-800-628-5115

Coordination of DADS and DARS Services

- An individual who has applied for DARS services is eligible to receive EA through MDCP until DARS has developed the individual plan for employment (IPE).
- If the DARS vocational rehabilitation counselor determines that DARS is not the appropriate resource to meet the individual's needs, documentation of this decision in the individual's record is sufficient evidence that DARS services are not available and the individual is eligible to receive EA.

Coordination of DADS and DARS Services cont.

- The individual's service planning team must ensure that communication is maintained with the DARS VR counselor regarding waiver-funded services provided prior to the "Start Date" of DARS services as defined in the individual's DARS Vocational Rehabilitation Individual Plan for Employment.
- If an individual refuses to contact DARS, he or she may not receive EA through MDCP.

Coordination of DADS and DARS Services cont.

- The DADS case manager refers the individual to DARS within 30 days of completing the Job Interest Assessment at the face-to-face visit. The case manager will assist the individual in contacting DARS.
- An individual who has been referred for DARS services or who has contacted DARS is eligible to receive waiver-funded EA until DARS has developed the IPE and the individual has signed the document. Upon request and with proper authorization for disclosure, the case manager will assist the individual with providing needed information to the DARS Vocational Rehabilitation Counselor.

Coordination of DADS and DARS Services cont.

- DARS will notify an individual in writing:
 - if he or she is determined to be eligible or ineligible for DARS services, and
 - when DARS services have been completed;
- DARS will:
 - develop with the eligible individual an Individual Plan of Employment (IPE) within 90 days of the determination of eligibility for services.
 - begin coordinating the provision of services after the IPE is completed.

Role of the HCSSA or CDS Employer:

Help to Locate Services

- Assist individuals in locating employment related services, such as transportation.
- Encourage individuals and their families to choose their employment service provider as early in the service planning process as possible.
- Provide the individual with a choice of service providers:
 - The individual may want to select a MDCP provider to provide employment services. An individual can search for HCSSA providers by area of the state on the [Long Term Care Quality Reporting System](#).

Role of the HCSSA or CDS* Employer:

Help to Locate Services

- The individual may receive employment services from a Community Rehabilitation Program (CRP) through DARS funding.
- DADS funding can be used to contract with CRPs via the consumer directed services option or by the provider subcontracting with the CRP. A list of CRPs can be found at <http://www.dars.state.tx.us/supemp/providerlist.shtml>
- If you decide to use a CRP, it is important to know that DARS CRPs may not know who you are or what services you provide. It is advisable to contact them about funding and needed services.

Role of the HCSSA or CDS Employer

Ensure Provision of Services

- Identify individuals who are interested in pursuing employment and assist them in identifying and obtaining their desired employment outcome
- Provide or contract EA services before DARS funding begins or when the individual has been determined ineligible
- Provide or contract SE services. Do not refer to DARS for SE services.
- Utilizing qualified staff greatly enhances the successfulness of employment services.

Provider Resources

Available training

- University of North Texas' Workplace Inclusion and Sustainable Employment <http://wise.unt.edu/crptraining> offers online courses:
 - Job Coach / Job Skills Trainer (15 hours)
 - Job Placement Specialist (20 hours)
 - Supported Employment Specialist (30 hours)
 - Supported Employment: Discovering Untapped Talent <http://wise.unt.edu/node/394> (40 hours)
- Training Resource Network (<https://trn-store.com/>) offers a variety of online training courses.

Provider Resources cont.

- U.S. Department of Labor, Office of Disability Employment Policy <http://www.dol.gov/odep/topics/youth/softskills/>
- Virginia Commonwealth University Rehabilitation Research and Training Center <http://www.worksupport.com/>
- College of Employment Services
<http://directcourseonline.com/employmentservices/>
- DADS Guide to Employment for People With Disabilities
<http://www.dads.state.tx.us/providers/supportedemployment/EmploymentGuide.pdf>

Ticket to Work Program

- An SSI or SSDI-eligible individual has the option to receive employment services from an Employment Network (EN) through the Ticket to Work program. A list of ENs in Texas can be found at:

<http://www.chooseworkttw.net/resource/jsp/searchByState.jsp>