

Supported Employment New Service Development

April 20, 2023

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Department of Health Care Policy and Financing



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Our Mission:

Improving health care equity, access and outcomes for the people we serve while saving Coloradans money on health care and driving value for Colorado.



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Purpose of Meeting

- To review new Supported Employment services established by Senate Bill 21-039
- To provide a brief update regarding the approval process for new services
- To share feedback received from Centers from Medicare and Medicaid Services (CMS)

Agenda

- Housekeeping
- Benefits Planning
- Workplace Assistance
- Status
- CMS Feedback



Housekeeping

- Mind e-manners
- Use chat for questions and comments
- Raise hand to verbally ask questions/share comments
- There will be time for discussion at regular intervals throughout the presentation

Background



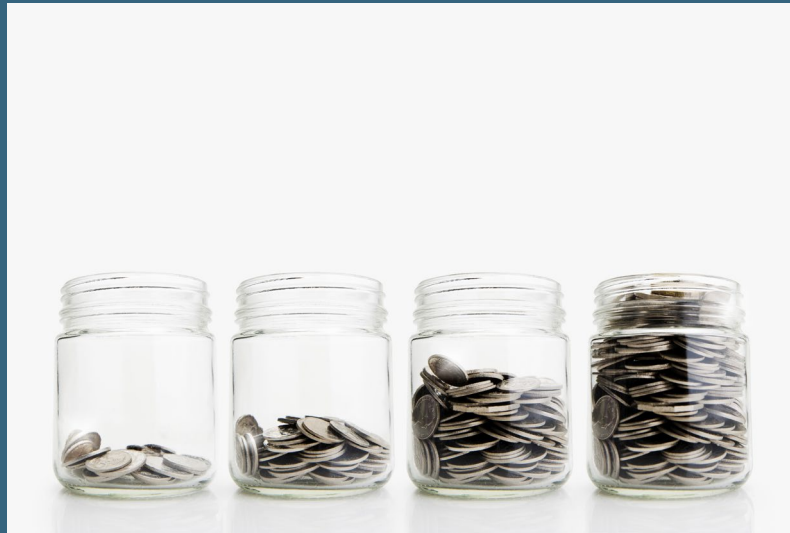
Employment First / SB 21-039

- Employment First = **ALL** people should have the **opportunity to work**
- Senate Bill 21-039 phases out sub-minimum wage employment in Colorado
- Directs the Department to seek federal approval for services to address:
 - Line-of-Sight Supervision
 - Ongoing Benefits Counseling

Recap of New Services



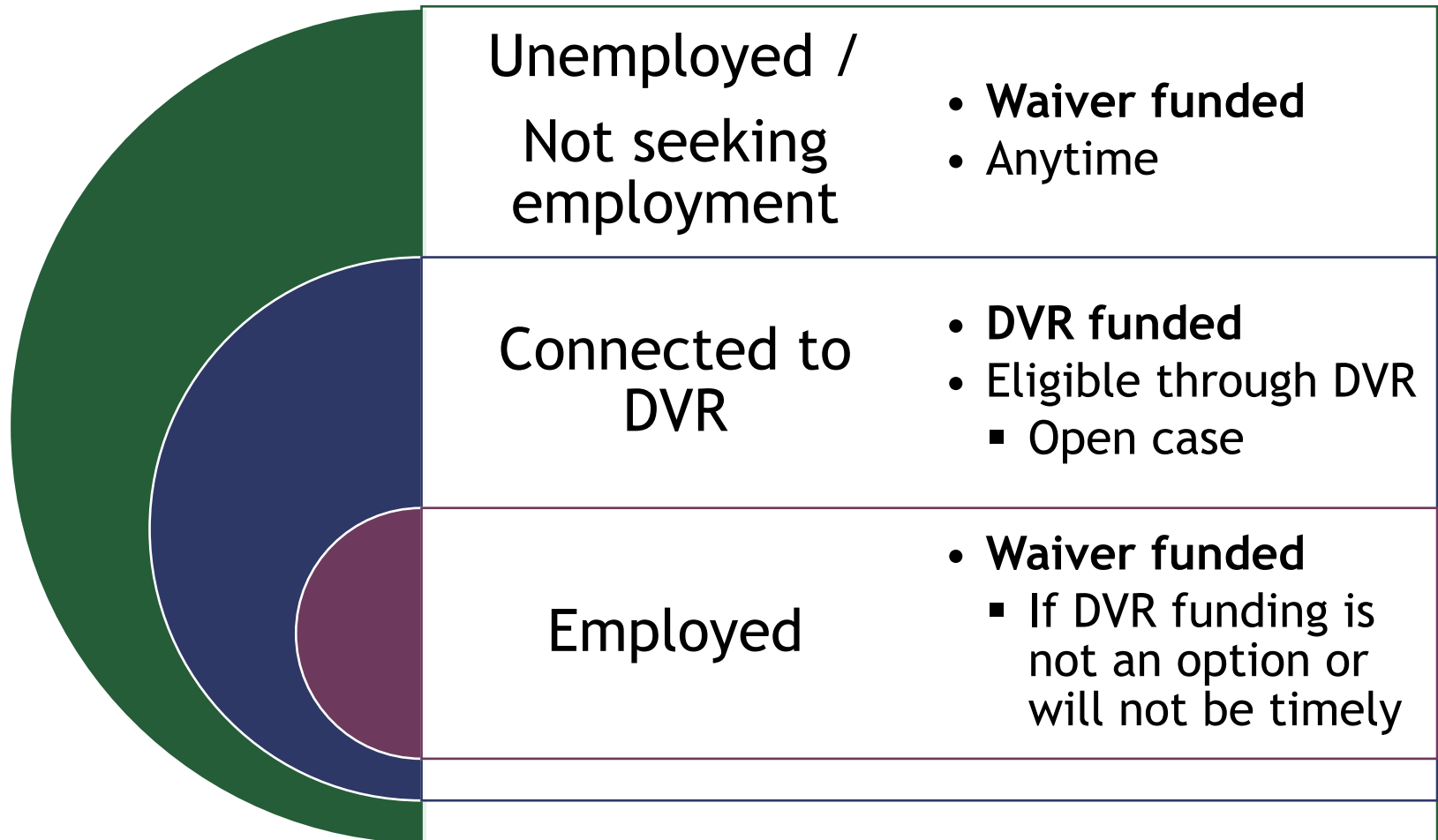
Benefits Planning



Benefits Planning: Overview

- To help members and their teams understand how benefits are affected by employment
 - Specific to their individual situation
- Reduce fears that working would jeopardize benefits and encourage informed choice about employment
- Available to ANY member enrolled in DD/SLS Waivers regardless of work history or lack thereof

Benefit Planning: Funding



Benefits Planning: Provider Qualifications

- One of the following required:
 - Community Work Incentives Coordinator (CWIC),
 - Community Partner Work Incentives Coordinator (CPWIC),
 - Credentialed Work Incentives Practitioner (WIP-C)
- Expected to maintain knowledge of:
 - Colorado's Medicaid Waiver system
 - Federal, state, and local benefits

Benefits Planning: What

- Benefits Verification/ Benefit Summary & Analysis
- Development of Work Incentive Plan
- Assisting with evaluating job offers or promotional opportunities
- Providing info on Waiver benefits (including Buy-In options) & federal/state/local programs

Benefits Planning: What

- Assisting with referrals and connecting member to resources
- Navigating complicated benefit scenarios while maintaining employment and benefit eligibility
- May offer suggestions to develop an organizational structure related to benefit eligibility/ reporting
 - May assist with the collection and submission of documentation a temporary basis

Benefits Planning: Logistics

- Approved providers may be an agency or an individual; agency options are:
 - Program Approved Service Agency (PASA)
 - Enrolled Medicaid Providers - Benefits Planning
- Qualifications are verified upon initial enrollment and in a revalidation cycle
- Existing HCBS providers will need to add Benefit Planning Specialty. Others will need to become Medicaid approved providers.

Benefits Planning: Logistics

- Can be provided in-person or via Telehealth
- Rate: \$103.85 an hour ~ \$25.96 per 15-minute unit
- Limit of 40 units (10 hours) per Service Plan year
- DVR's Benefit Counseling should be accessed when available
 - If DVR's response/projected timeline does not meet member's needs, then Waiver can be utilized



Questions?

Workplace Assistance



Workplace Assistance

- Supports members with elevated supervision needs who, because of valid safety concerns, may need assistance from a paid caregiver that is above and beyond what could be regularly supported by the workplace supervisor, co-workers, or job coach.
- Training/Job Coaching, accommodations, technology, and natural supports are to be used to maximize member's independence and minimize need for the consistent presence of a paid caregiver.

Workplace Assistance: Who?

- Target Population:
 - Intensive Supervision/ Rights Modifications
 - Safety Concerns
 - Demonstrating behaviors that cause direct harm to self/others
 - Intentionally (or not) putting self in unsafe situations frequently
 - Often demonstrate poor safety awareness or making poor decisions related to personal safety

Workplace Assistance: Who?

- Job must be individual (not group) and at/above minimum wage
- Workplace Assistance and Job Coaching could be delivered by:
 - Same provider / agency
 - Different agencies



Workplace Assistance: Philosophy

- Having a paid caregiver consistently watching over the member accentuates their disability and 'differentness'
- Efforts should be made to examine when/how Workplace Assistance could be faded



Level of Supervision at Work

- The level of paid caregiver supervision needed at work may be different than other settings
 - Members should not be over-supported
 - Nor limited in their availability to work based on supervision needs identified for other settings
- A member's place of employment is very likely to have natural supports available
- Appropriate job match can help control for many variables

Workplace Assistance: What?

- Workplace Assistance services could include:
 - Reinforcing/modeling safety skills
 - Reminders to follow work-related protocols/strategies
 - Redirecting
- Address the safety-related needs in order to sustain employment while promoting the member's independence and integration

Workplace Assistance: What?

- Addressing supervision expectations for members with Rights Modifications
- Addressing behavioral support needs - e.g., implementing a Behavioral Support Plan
- Supporting with non-job-related activities
- Supporting with engaging opportunities beyond job-related tasks (lunch, breaks, work events)
- Furthering natural support workplace relationships

Workplace Assistance: Logistics

- To be provided on a one-to-one basis, in-person
- Primarily will occur during the member's hours of paid employment at the member's worksite
- Rate: \$14.66 per 15-minute unit or \$58.64 per hour
- Provider Specialty under Supported Employment (SE)
 - so those who are already approved SE providers can deliver Workplace Assistance (once it is authorized in a member's Service Plan)

Workplace Assistance: Logistics

- Frequency and duration determined through person-centered process
 - Integration/independence should be promoted
- Basic requirements the same as Day Hab staff
- Training for Workplace Assistance staff should include:
 - Fundamentals of Employment First
 - Insights regarding a paid caregiver's role at a member's place of employment

Workplace Assistance: Authorization

- Prior to being authorized, need documentation in the CM record of the following:
 - Specific safety concern(s) are identified and outline how staff could support the member
 - Job Coaching services have been or will be leveraged, ensuring adequate job training, accommodations, natural supports etc.
 - A Supported Employment provider's informed opinion, informed by Employment First concepts:
 - A Provider who has completed of Training Certificate or Certification, OR
 - Representative from HCPF SE Team

Workplace Assistance: Authorization

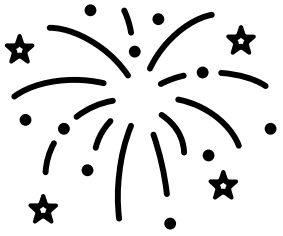
- Need for a paid caregiver should be based on actual need, considering factors such as:
 - Nature of the job and work location
 - Member's longevity with the employer
 - Degree of continuity at the worksite
 - Likelihood of member putting themselves or others in harm's way
- Member's desire to have a paid caregiver present for the identified time periods



Questions?

Service Plan Authorization Limit (SPAL) for the Supported Living Services (SLS) Waiver





Exciting News!



- Beginning July 1, 2023, the following services will no longer be subject to the Service Plan Authorization Limit (SPAL):
 - Individual Job Coaching
 - Individual Job Development
 - Job Placement
 - Workplace Assistance
 - Benefits Planning

Current Status



Timeline

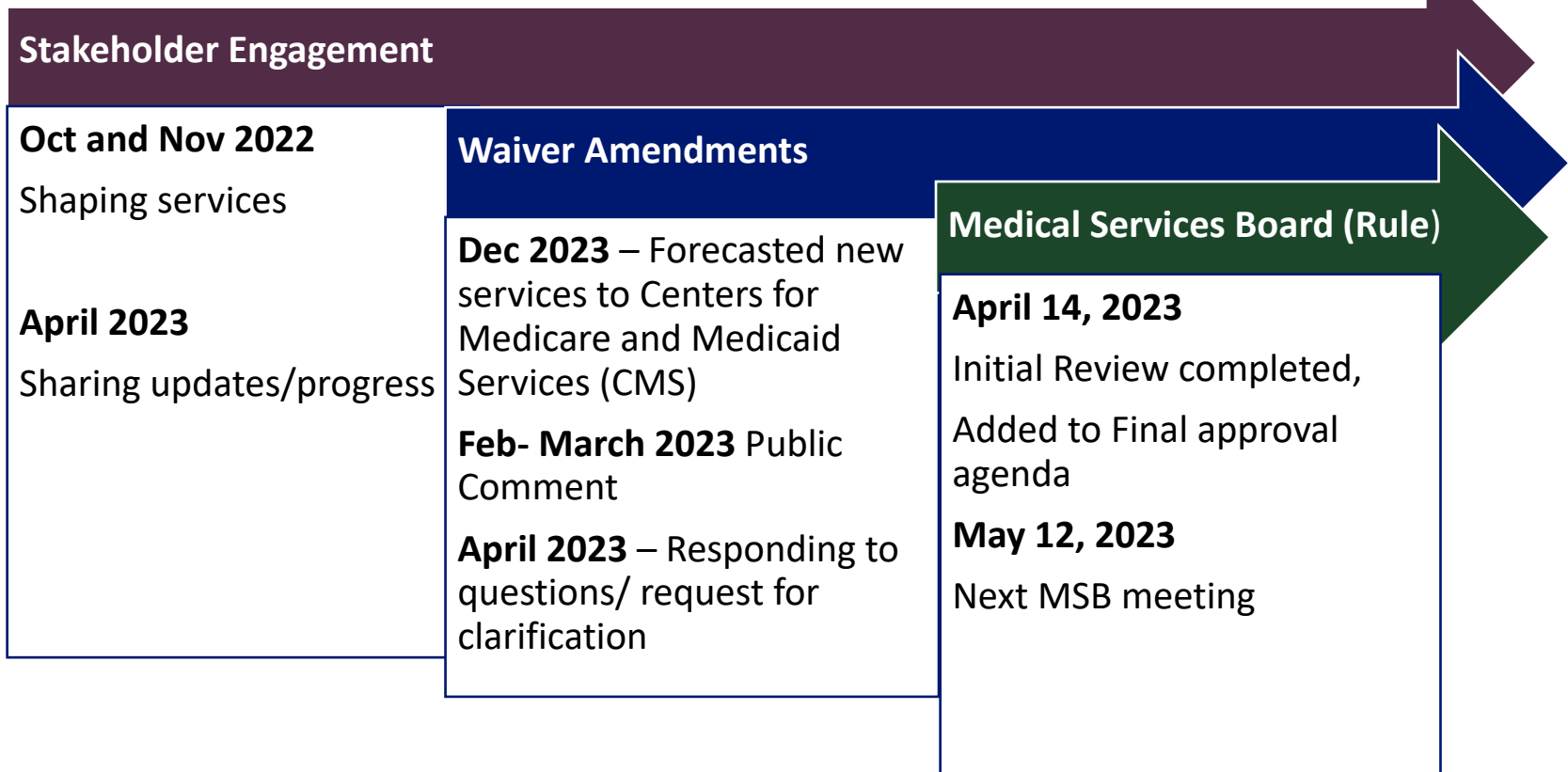
← SB 21-039 passed June of 2021
SMW transition planning

July 1, 2023 Implementation →

Fall 2022

Winter 2023

Spring 2023



Next Steps:

- Develop/distribute materials for Case Manager training
- Assist interested providers determine what their next step is to deliver new services
- Educate members and community about new services and how to access them

Where to find more?

- **Rules:** [MSB 22-12-30-A](#)
 - HCPF Website -> For Our Stakeholders -> Committees, Boards, and Collaboration -> Medical Services Board -> April 14, 2023 Agenda
- **Waiver Amendment:** [HCBS Amendment/Renewal March 2023](#)
 - HCPF Website -> For Our Members -> Program Benefits -> Long-Term Services and Supports -> HCBS Public Comment Opportunities -> March 2023



Questions?

Changes to Waiver Language



Feedback from CMS

- **Benefits Planning**

- Clarification requested regarding intent of the service
 - We are clarifying and adding language about increasing access to work and addressing fears about losing benefits
 - We do not anticipate issues or substantive changes

- **Workplace Assistance**

- No specific questions or concerns were raised

- **Supported Employment**

- Entire Supported Employment section of Waiver was 'open' to CMS review

Feedback from CMS

- **Supported Employment Feedback**
 - Indicated sections of language that should be brought into alignment with CMS's Technical Guide
 - Shouldn't impact current practices, however, it is more descriptive and aligns with where we want to be
 - Also requested clarification toward the beginning to clarify Supported Employment services, regarding individual/group etc.
 - Clarification requested regarding Job Placement

Supported Employment Text

Supported Employment services are the ongoing supports to participants who, because of their disabilities, need intensive on-going support to obtain and maintain a job in competitive or customized employment, or self-employment, in an integrated work setting in the general workforce at or above the state's minimum wage, at or above the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities. The outcome of this service is sustained paid employment at or above the minimum wage in an integrated setting in the general workforce, in a job that meets personal and career goals. ~~Supported Employment services consists of intensive, ongoing supports that enable participants, for whom competitive employment at or above the minimum wage is unlikely absent the provision of supports, and who, because of their disabilities, need supports, to perform in a regular work setting.~~ Supported employment is conducted in a variety of integrated settings in which participants interact regularly with non-disabled individuals (other than those individuals who are providing services to the participant).

Supported Employment Text

Colorado is an Employment First state, meaning Competitive Integrated Employment (CIE) is the most preferred outcome for members utilizing HCBS. Supported Employment services are designed to be available on an individual basis to support each member in obtaining, sustaining, and advancing community employment. Supported Employment services are also available to a small group of members (two or more) when a member chooses group employment instead of an individual job. Supported Employment- Group supports members in obtaining, sustaining, and advancing in community employment settings that are in compliance with the HCBS Final Settings Rule. Supported Employment - Individual includes: Job Development, Job Coaching, Job Placement, and Workplace Assistance. Supported Employment - Group includes: Job Development, Job Coaching, and Job Placement.

Participants must be involved in work outside of a base site. Supported Employment Individual supports is not intended for people working in mobile work crews of small groups of people in the community. ~~Included are participants who work in community jobs and on mobile crews.~~ Group employment (e.g. mobile crews are services and training activities provided in regular business and industry settings for workers with disabilities and shall not exceed eight persons.

SE Text - Job Coaching

Job Coaching services focus on activities needed to support members to assume full responsibilities for their jobs, including providing training, systematic instruction, and developing strategies to fade supports as much as possible. ~~When supported employment services are provided at a work site where persons without disabilities are employed, payment is made only for the adaptations, supervision and training required by participants receiving waiver services as a result of their disabilities.~~ Supported Employment services do not include payment for supervision, training, support, and adaptations typically available to other workers without disabilities filling similar positions in the business.

SE Text - Job Placement

Job Placement services may be used to purchase items that are required for a job that cannot be covered through other means. These items may be related to the member's disability/diagnosis or may be specific to the job, for example: uniform, specific shoes/work boots, or other gear that may be required prior to starting in the position. Job Placement services through the waiver, would not be authorized if the items:

- 1) would be considered the responsibility of the employer to provide under the Americans with Disabilities Act of 1990, or
- 2) could be covered by the Division of Vocational Rehabilitation via section 110 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq), or
- 3) would be covered through the member's other state plan or waiver benefits. ~~a participant needs to obtain and/or sustain employment that are not otherwise the responsibility of the employer to provide under the Americans with Disabilities Act of 1990.~~



Questions?

Contact Info

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Questions?



Thank you!

