

# Supported Employment Stakeholder Meeting

**December 6, 2023**

Presented by: Jenny Jordan  
Department of Health Care Policy and Financing





# 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.



# Purpose of Meeting

To review proposed updates to Supported Employment service definitions in the Developmental Disabilities (DD) and Supported Living Services (SLS) Waivers and gather Stakeholder input

# Agenda

- Housekeeping / Feedback Opportunities
- Background
- Current Waiver Language
- Proposed Changes

# 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

# Feedback Opportunities

- Poll questions during the meeting to capture feedback about potential changes
- Survey will be available after the presentation to capture any additional feedback, including on specific proposed language within the slideshow
- The meeting recording, slides, and survey will be posted on the HCPF Supported Employment website following this meeting.
  - Survey will be available until December 31, 2023

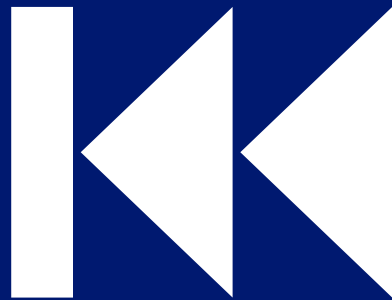
# General Considerations

As we review the Waiver language, please remember:

- Language and concepts discussed are *not* final
- We are documenting your feedback and ideas
- Ultimately, we need federal approval for the Waiver language, and we will incorporate other details into rule
- We look forward to your feedback and participation!



# Background

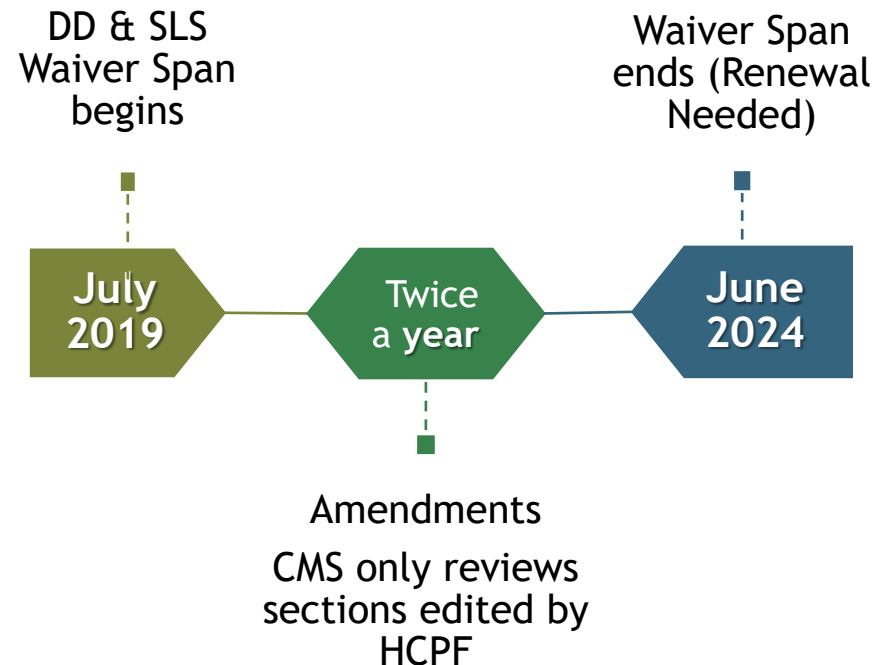




# Waiver Cycle

## Renewals vs. Amendments

- *Renewals* - every 5 years, Centers for Medicare and Medicaid Services (CMS) reviews every section of the waiver applications
- *Amendments* - at least twice a year, the sections that are updated are reviewed by CMS
- Currently preparing for the **Renewal** process



# Waiver Actions Timeline

- ***Now - January 12, 2024***
  - Language is developed for waiver application (time includes internal clearance)
- ***February 1 - March 1, 2024***
  - Public Comment period
- ***March 8, 2024***
  - Waiver applications submitted to CMS
- ***March 8 - June 30, 2024***
  - 90-day review period for CMS
- ***July 1, 2024*** - Approved waiver changes become effective

# Recap of Recent Changes

- Benefits Planning and Workplace Assistance were made available in the Developmental Disabilities (DD) and Supported Living Services (SLS) waivers starting July 1, 2023
- Individual Supported Employment services are now outside of the Service Plan Authorization Limit (SPAL)
- Elimination of subminimum wage in Colorado



# Current Waiver Language



# Current Waiver Language

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.

Language updated June 2023, based on Centers for Medicare and Medicaid Services (CMS) Technical Assistance (TA) Guide



# Current Waiver Language

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 is conducted in a variety of integrated settings in the general workforce, in a job that meets personal and career goals, in which participants interact regularly with non-disabled individuals (other than those individuals who are providing services to the participant).

Language updated June 2023, based on CMS TA Guide



# Current Waiver Language

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.

Language updated June 2023, Colorado inserting Employment First language/concepts



# Current Waiver Language

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.

Language updated June 2023, mix of CMS TA Guide, Employment First concept, and Final Settings Rule.





# Current Waiver Language

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.

Language updated June 2023, based on CMS TA Guide and recognition that specific services were not previously identified in the definition



# Current Waiver Language

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. Group employment does not include services provided in facility-based work settings or other similar types of vocational services furnished in specialized facilities that are not part of general community workplaces.

Language updated June 2023, based on CMS TA Guide



# Current Waiver Language

Job Development services focus on the assessment and identification of vocational interests and capabilities in preparation for job development as well as assisting the participant to locate a job or job development on behalf of the participant.

Job Coaching services focus on activities needed to support members and to assume full responsibilities for their jobs, including training, systematic instruction, and developing strategies to fade supports as much as possible. 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.

Job Development was unchanged, Job Coaching definition was added to in June 2023 to add Employment First concepts



# Current Waiver Language

Job Placement could be utilized for purchasing items that a member may need to be set up in a position at its onset. These items may be related to the member's disability/diagnosis or they may be specific to the job and may include a uniform, specific shoes/work boots, or other gear that may be required prior to starting the position. The items would not be covered through the waiver if those items would be considered the responsibility of the employer to provide under the Americans with Disabilities Act of 1990, or the items could be covered by the Division of Vocational Rehabilitation (DVR) via section 110 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq), or the member could cover the cost out of pocket without hardship.

Language updated June 2023 per CMS feedback

Note: SLS application also includes Assistive Technology



# Current Waiver Language

## Not discussing today:

- Workplace Assistance
- Telehealth - standard language used for all services using this delivery method
- Connection with Division of Vocational Rehabilitation (DVR)

# Limitations with Current Language

- Confusing format
  - Group and individual language is blended together
- Insufficient detail and clarity
  - People outside of Supported Employment cannot easily explain what these services are
- Lacking depth to key concepts
  - Employment First
  - Person-Centeredness

# Summary of Proposed Updates

- 1) Updating definition of Supported Employment to encompass Employment First philosophy
- 2) Separation of Individual and Group Supported Employment
- 3) Addition of detail for clarity to Job Coaching and Job Development service definitions
- 4) Changing name of “Job Placement”

# Proposed Waiver Language





# Overall Language - Positions

- All positions should be paid at or above the minimum wage, with access to the same opportunities for benefits and advancement that are provided to employees without disabilities.
- Positions may be full-time or part-time and offer the individual opportunities for interactions with co-workers without disabilities, customers, and/or the general public.

# Overall Language - Capability and Direction

- All adults with intellectual and developmental disabilities can work when given the opportunity, training, and support that builds on their strengths.
- An individual's preferences, interests, goals, strengths, and needs are central to effectively exploring career options.
- Opportunities to advance in employment and explore new employment should be visited on a regular basis.

# Self-Employment - Concepts to Expand & Clarify

- Support with self-employment includes development and implementation of a viable business plan as defined by the DVR self-employment criteria.
- Medicaid funds cannot be used to defray the expenses associated with starting up or operating a business.
- Support with self-employment can be provided in the home if appropriate.

# Structural Changes to Service Layout

- Current structure: “Supported Employment” includes all individual and group employment service definitions within DD and SLS Waivers.
- Proposed change: Differentiating between individual and group employment services for clarity.
- This would not have an impact on billing structure or codes.

# Structural Changes to Service Layout

## Proposed structure:

- Individual Supported Employment
  - Job Development - Individual
  - Job Coaching - Individual
  - Workplace Assistance
  - Job Placement - Individual
  
- Group Supported Employment
  - Job Development - Group
  - Job Coaching - Group
  - Job Placement - Group

# Individual Supported Employment Definition

Individual  
Job  
Development

Individual  
Job Coaching

Individual  
Job  
Placement

Workplace  
Assistance



# Group Supported Employment Definition

Group Job Development

Group Job Coaching

Group Job Placement

# Job Coaching





# Definition of Job Coaching (Draft Language)

Adding examples to expand & clarify:

Job Coaching assists members build, strengthen, and maintain necessary work skills, behaviors, and interpersonal relationships at the worksite. Job Coaching includes supports provided to the member and the member's supervisor or co-workers on behalf of the member.

Job Coaching focuses on activities needed to support members to assume full responsibilities for their jobs, including providing training, systematic instruction and other learning strategies based on the member's learning style and needs, and developing strategies to increase independence, integration, and autonomy at work to the fullest extent possible.

# Individual Job Coaching (Draft Language)

## Clarification of Individual Job Coaching service delivery and position description:

The position the member is hired for must be the result of a competitively posted position or otherwise open to other possible applicants, or the position is customized for the specific member that meets the member's personal or career goals.

Individual Job Coaching includes training the member on job assignments, providing guidance to the employer/co-workers, and periodic follow-up with the member and the employer to promote quality, communication, and address any identified concerns.

# Individual Job Coaching (Draft Language)

**Service clarification when multiple members work in the same location:**

Individual Job Coaching provides support to one member (at a time). Job Coaching support provided to multiple members who are working at their own distinctive, individual job positions at different locations or dispersed locations within a community business is considered Individual Job Coaching.

Individual Job Coaching is not intended for members working in mobile work crews of small groups of people with disabilities in the community, nor of provider-owned sites where multiple members are doing similar work, during similar shifts. That type of work support would be considered Group Job Coaching.

# Summary of other changes

- Develop strategies for long-term success at work
  - Identifying coping/self-management strategies
  - Engagement of natural supports to promote fading
- Support members that need assistance with work related activities that are not specific to their job
  - Requesting time off / calling in sick
  - Assistance with wage reporting
- Guidance for the employer / co-workers

# Group Job Coaching (Draft Language)

## Expansion and clarification of Group Job Coaching service delivery:

The Group Job Coaching provider is expected to conduct this service in integrated business, industry, or community settings that meet all HCBS setting standards and do not isolate members from others in the setting who do not have disabilities.

The primary focus of Group Job Coaching is job related and also encompasses adherence to workplace policies, safety, productivity, dress code, work schedule, building co-worker and supervisor relationships, hygiene and self-care.

A provider of Group Job Coaching shall provide the service in a manner that presumes all participants can work in competitive, integrated employment.



# Job Development



# Definition of Job Development (Draft Language)

**Expansion on definition of Job Development and potential Job Development activities:**

Job Development supports a member to acquire employment in a job that meets their personal and career goals. Job Development is designed to assist members to explore work goals and possibilities, and to access competitive or customized employment.

Job Development supports may include any combination of the following services: vocational/job-related discovery or assessment, person-centered employment planning, negotiation with prospective employers, job analysis, and assistance with activities typical to conducting a job search.

# Definition of Job Development (Draft Language)

## Clarification on appropriate settings for Job Development activities:

These services should be provided in the presence of the member and be conducted in the community to the maximum extent possible; but, completion of activities in the home, in a provider's location/facility, or without the presence of the member may be appropriate depending on individual circumstances.

Job Development activities that take place in the member's home or provider's location must be clearly connected to the outcome of supporting the member obtaining employment in the community.



# Individual Job Development (Draft Language)

## Individual Job Development description:

Individual Job Development may include career exploration and discovery activities, community based formal or informal assessments, job application completion assistance, support with job interviewing, and travel training.

Individual Job Development may also include outreach, negotiation, and/or consultation with prospective employers around job opportunities, duties, work hours, earnings, job expectations, and accommodations, with or without the presence of the individual, based on individualized need.

# Group Job Development (Draft Language)

Clarification through addition of examples:

**Group Job Development** may include: career exploration and discovery activities that raise awareness of the members about their own strengths and abilities, or about potential worksites or job opportunities that they had not previously known about or considered. Group Job Development includes touring businesses with the intention of learning about different job types, and identifying what qualities may be needed to work there.

Group Job Development also includes group instruction on topics related to obtaining employment such as: interviewing techniques, explaining roles and responsibilities for supervisors and employees, strategies for disclosing disability and requesting accommodations, and identifying what is needed to come to work prepared.



# Job Placement



# Job Placement - Individual and Group

- Job Placement sounds like something it isn't
- Key excerpts from current language:

Job Placement could be utilized for purchasing items that a member may need to be set up in a position at its onset. These items may be related to the member's disability/diagnosis or they may be specific to the job and may include a uniform, specific shoes/work boots, or other gear that may be required prior to starting the position.

Any item purchased under the auspice of Job Placement must directly relate to that member's need related to obtaining and/or sustaining community employment and thus would reduce the likelihood of institutionalization.

# Job Placement - Individual and Group

## Potential Updates:

- Change name to more accurately reflect the definition
- Include items purchased to support the member with maintaining or advancing in employment
  - Current language states that Job Placement can be used to purchase items a member may need to be set up in a position **at its onset**



# Questions?



# We Want Your Feedback

- Website:  
[hcpf.colorado.gov/supported-employment-program](https://hcpf.colorado.gov/supported-employment-program)
- The survey will be posted on the HCPF [Supported Employment Meetings and Resources page](#) until December 31, 2023

# Next Steps

- Collect and integrate feedback
- Coordinate with CMS
- Public Comment Period and CMS review
- After Waiver Renewal is approved we will work to update the Rules associated with Supported Employment
  - We won't open the rules for revision until the new format (related to Case Management Redesign) is approved - slated for early 2024



# Contact Information

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# Thank you!

