

FINAL REPORT

**LEGISLATIVE TASK FORCE ON EMPLOYMENT
FOR
PERSONS WHO ARE DISABLED**

**Prepared for:
Minnesota State Planning Agency**

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REPORT OF THE TASK FORCE ON EMPLOYMENT

BACKGROUND OF THE TASK FORCE

Pursuant to Minnesota Laws 1987, Chapter 403, Article 5, Section 21, the Minnesota Legislature created the Task Force on Employment to review and make recommendations to the Legislature and affected state departments regarding the following:

1. The role and function of developmental achievement centers, sheltered workshops, and other services providing employment to people who are severely disabled.
2. Mechanisms for identifying and placing clients in appropriate services.
3. Current and recommended funding methods for developmental achievement centers and extended employment programs and the relationship between funding and placement of clients.
4. Current regulations and program standards including accountability requirements and outcome measures. Recommendations for common standards for all similar programs shall be included.
5. Improved ways of providing employment services to all disabled persons regardless of the severity of their disabilities, including persons not currently receiving services through existing programs.
6. The need and scope of demonstration projects to determine how existing funding can be consolidated or unified to expand community-based/supported employment opportunities for persons with severe disabilities and whether specific rule waiver authority is required to accomplish this purpose.

See subdiv. 4. Each of these matters is addressed in this Report. However, as indicated later in this Report, some of the above-listed matters require further study before definitive recommendations to the Legislature are possible.

Based on the representation requirements set out in subdivision 2 of the legislation creating the Task Force, the following persons served on the Task Force:

NAMEREPRESENTING

Berg, Arne	MARF (rehabilitation facilities)
Crowe, Jeanne	ARC-MN (advocacy organization)
Davis-Korf, Nancy	ACT (advocacy organization)
Elliott, Carolyn	Dept. of Education, Special Education
Gurney, Nancy	MHC (director, dev. achievement ctr.)
Iseminger, Beth	MNSEP Advisory Committee
Kelso, Rep. Becky	House, Health and Human Services
Larson, Jerry	St. Louis Co. Social Services
Mueller, Jerry	MNDACA (developmental achievement ctrs.)
Mueller, Jim	MARF (rehabilitation facilities)
Piper, Sen. Pat	Senate, Health and Human Services
Skarnulis, Ed	Dept. of Human Services
Spears, Marv	Dept. of Jobs and Training, DRS
Wieck, Colleen	Gov. Planning Council, Dev. Disabilities
Woehrlin, Molly	Association of MN Counties

The Task Force met seven times, on September 23, October 8, October 20, November 5, November 20 and December 17, 1987 and January 19, 1988. All of the meetings were open to the public. Nancy Welsh and Barbara McAdoo of Mediation Center acted as facilitators of the Task Force meetings.

THE EXISTING SUPPORTED EMPLOYMENT SYSTEM IN MINNESOTA

Despite the breadth and depth of experience represented on the Task Force, the members quickly recognized that before they could evaluate the "system" which presently provides supported employment opportunities to persons with disabilities in Minnesota, or make recommendations regarding changes to that system, they required a better understanding of the intricacies of the present system. Therefore, representatives of the Department of Human Services, Division of Rehabilitation Services and Department of Education made presentations to the Task Force regarding the supported employment opportunities, services and systems of their agencies. An extensive comparison of the supported employment funded by DHS, DRS and the Department of Education also is attached to this Report. Importantly, any comparison of these systems is somewhat limited because each agency uses different definitions, has a different tracking system and has a different data base. With that qualification, the following represents a brief summary of the existing system components:

DEPARTMENT OF HUMAN SERVICES

The goals of the supported employment funded by DHS are to provide integrated, age-appropriate employment which is a socially-valued activity for adults. Preferred outcomes include increased wages, job opportunities, job advancement, fringe benefits, productivity, increased independence in job and related skill areas, increased interactions and friendships with non-disabled co-workers.

In SFY 1986, approximately 1,500 persons with disabilities received some community based work/employment which was funded through DHS (e.g., Medical Assistance, waived services or CSSA). Approximately 2.9% of these persons with disabilities had profound mental retardation; approximately 26.3% had severe mental retardation; approximately 29% had moderate mental retardation; approximately 39.1% had mild mental retardation; approximately .27% had an "other MR" diagnosis; and approximately 2.27% had an other, non-MR diagnosis.

Persons with disabilities enter into DHS-funded supported employment through developmental achievement centers. A county case manager must authorize the supported employment for a person with disabilities in accordance with the Individual Service Plan (ISP) or Individual Habilitation Plan (IHP) of the person with disabilities. The supported employment may be coordinated with the Division of Rehabilitation Services or Vocational Rehabilitation.

DHS funds employment and employment related services in accordance with the objectives specified in each person's individual habilitation plan when the services are reimbursable under state and federal regulations. Employment and employment related services are designed to increase integration with the community, increase productivity, increase income level and improve the employment status or job advancement of the person served. Supported employment is offered as a choice to any person regardless of the severity of the person's disability, who is currently not able to work competitively. The services funded by DHS include: training (on-the-job and in skills essential for gaining and retaining employment), assessment, placement, on-going supervision, monitoring of on-the-job performance, on-going support to assure job retention, transportation and adaptive equipment. The supported employment services received by a person with disabilities can be life-long. However, the time is limited in a sense by county budgets and approved developmental achievement centers' budgets.

Most of the supported employment which is available through developmental achievement centers is seasonal or of short duration, with frequent turnover in job opportunities. On average, in SFY 1986, 61.6% of the persons with disabilities in supported employment funded by DHS worked less than 4 hours (but more than 0 hours) per week; 19.4% worked 5 to 9 hours per week; 12.4% worked 10 to 19 hours per week; and 5.7% worked 20 to 30 hours per week. The estimated average hourly wage was \$1.99 per hour.

The allocations of funds for supported employment is ultimately based on the agency budget approved by the county on an annual basis. The daily fee for service received by the agency is based on per person participation. A unit of service per agency is equivalent to a day of training and habilitation or a partial day of training and habilitation or transportation. Because developmental achievement centers are not required to keep information regarding the monies spent on supported employment services, it is impossible to provide accurate data regarding the funding which DHS is spending on supported employment.

DIVISION OF REHABILITATION SERVICES

DRS administers and funds two programs--Vocational Rehabilitation and Extended Employment. Therefore, these programs will be described separately.

Vocational Rehabilitation--Time Limited Supported Employment

The goal of the supported employment funded by the Vocational Rehabilitation (VR) program is to enable persons with disabilities to secure and retain suitable employment and thereby to further such person's integration or re-integration into society.

In SFY 1987 VR funded time-limited supported employment for 445 persons with disabilities; of this total, 49.4% had mental retardation. Beginning in 1988, VR can fund training, assessment and evaluation, and placement for persons in supported employment from two federal-state sources: Title VIC and Title I. Title VIC funds are earmarked specifically for supported employment services and, based upon an individual's needs, services can be provided for up to a maximum of 18 months. Typically, supported employment services are provided for a period of 1 to 3 months if the funding source is Title I or Title VIC.

While there are no specific time restrictions for Title I funds, the VR program is a time-limited program and funds are not intended to supplant the on-going support dollars necessary for persons with disabilities to remain in supported employment. Title I funds are available to any person with disabilities in need of services to secure and retain any number of employment options.

For SFY 1987, on average, 5.2% of the persons with disabilities in supported employment funded by VR worked less than 4 hours (but more than 0 hours) per week; 3.2% worked 5 to 9 hours per week; 24.5% worked 10 to 19 hours per week; 34.8% worked 20 to 30 hours per week; and 32.3% worked 30 or more hours per week. The average wage was \$3.37 per hour.

Persons with disabilities are referred to VR by a variety of sources, including counties, schools, hospitals, other medical facilities or personnel, persons with disabilities themselves, the families of persons with disabilities and the Job Service.

VR counselors, who are located in regional offices, purchase needed services for persons with disabilities from various vendors on a per person basis. The counselors are guided by a program plan developed cooperatively with the individual and other interested persons including service providers. The rates for supported employment services are established by written operating agreements or by individualized fee for service arrangements. The SFY 1988 expenditures for the EE program will total \$261,000.00; the SFY 1988 budget for the supported employment services provided under Title VIC is \$625,000.00

Extended Employment Program--Community Based Employment

The goal of the supported employment funded by the Extended Employment (EE) program is to maximize the vocational potential of individuals with disabilities by providing appropriate paid work through establishing the most enabling environment.

In SFY 1986, EE funded community based employment for 2,717 clients. Of this total, 7.4% had severe mental retardation; 18.7% had moderate mental retardation; 32.5% had mild mental retardation; and 41.3% were persons with other disabling conditions.

Clients are referred to EE by a variety of sources, including counties, schools, hospitals, other medical facilities or personnel, persons with disabilities themselves, the families of persons with disabilities and the Job Service. A majority (approximately 58%) are referred by the VR program.

EE funds training, placement, follow-along for less than six months, follow-along for six months to one year and follow-along for more than one year. EE does not fund assessment and evaluation. There is no limit on the length of time that EE funds can be provided for supported employment.

For SFY 1986, on average, 8.6% of the persons with disabilities in supported employment funded by EE worked less than 4 hours (but more than 0 hours) per week; 7.8% worked 5 to 9 hours per week; 26% worked 10 to 19 hours per week; 27.6% worked 20 to 30 hours per week; and 30% worked 30 or more hours per week. The average wage was \$3.15 per hour. Those persons with disabilities who worked a combination of supported employment and in-center employment also received certain fringe benefits (e.g., vacation, holiday, sick leave, maternity leave, voting time, jury duty leave, military leave, overtime, etc.).

In order to determine the total number of EE-CBE dollars which will be available, DRS uses a formula which weighs statewide need and the needs of individuals currently served in EE programs. The dollars are distributed to providers based on need for new programs and the measured performance of existing programs. The SFY 1988 budget for the community-based portion of the EE program is \$2,389,000.00. (This represents 26% of the total EE program budget.)

DEPARTMENT OF EDUCATION

The goals of the supported employment funded by the Department of Education (DOE) are to provide jobs and job training to foster career awareness, career exploration, job entry level skills training, and, ultimately, preparation for post-secondary employment/placement.

In SFY 1986, approximately 2,600 students were in the Work Experience/Handicapped Program. Approximately 600 students had tech tutors or job coaches.

Teams (or individuals) make referrals to a Work Experience Coordinator or Vocational Director. If there are few vocational offerings in a district, a vocational director is often a principal, superintendent, etc.

All jobs are part-time. Students average between 5 and 10 hours per week in the Work Experience/Handicapped Program. Wages range from unpaid to subminimum wage to minimum wage to more than minimum wage. Wages also are subsidized by Job Training Partnership Act (JTPA) funds.

Both state and federal funds can be used to pay for training, assessment and evaluation, placement and follow-up (which is optional). A total of \$2.5 million in state vocational education aid is available for distribution to districts to reimburse a percentage of their staff salaries up to a cap of \$18,400. The remainder of state vocational education aid (\$1.6 million) is used for supplies, equipment, travel and contracted services. For federal (Carl Perkins) monies, funding is based on a child count (handicapped students in voc ed [duplicated]), then divided by those who apply; a total of \$265,000 is available for secondary education.

NEED WHICH IS NOT MET BY THE PRESENT SYSTEM

DRS, DHS and the Department of Education have arrived at some estimates regarding the numbers of persons with disabilities who could benefit from supported employment but who are not presently served by supported employment programs. According to DRS estimates, 6,340 persons could benefit from supported employment (based on 1987 waiting lists for Extended Employment programs, numbers of persons with severe and persistent mental illness and persons with traumatic brain injury). According to Department of Education estimates, 5,777 persons are of "transition" age (between the ages of 15 and 21) and are not yet receiving adult employment services. Many of these persons also could benefit from supported employment opportunities while in school. DHS indicates that, as of August 1987, 2,928 residents (MR and MI) of regional treatment centers and 3,340 participants in the in-house work components provided by developmental achievement centers also are potential candidates for supported employment.

OVERVIEW OF AGENCY STRENGTHS AND LIMITATIONS

In order to define possible agency roles in a supported employment system, the Task Force members spent some time addressing both the strengths and limitations of the two major agencies presently involved in supported employment, DHS and DRS. The Task Force members also specified which strengths and limitations are the result of federal laws or actions and which are susceptible to state or county action. Based on some of the recommendations contained later in the Report, this information may prove useful in the future./1

MAJOR GOALS OF THE SUPPORTED EMPLOYMENT SYSTEM

Armed with information regarding the present system, the members of the Task Force also realized that they had to establish major, overarching goals for a supported employment system in order to evaluate and make recommendations regarding Minnesota's system. After extensive discussion at the first three meetings regarding the needs and interests perceived by the members of the Task Force/2, the Task Force recommended the following major goals for Minnesota's supported employment system:

1. The needs of individual persons with disabilities throughout the state should be met, both in terms of flexibility and quality of service;
2. Choice by persons with disabilities should be encouraged and should guide their placement;
3. There is a need for integration, independence and productivity in the community, unless otherwise determined, on an individual basis;
4. The system should have adequate funding; and
5. The system should be consistent, non-duplicative and administrable.

It was generally perceived by the members of the Task Force that Minnesota's present supported employment system does not meet these major goals.

RECOMMENDATIONS REGARDING THE SUPPORTED EMPLOYMENT SYSTEM

1. Definition of Supported Employment

At several meetings, the members of the Task Force engaged in extensive discussion regarding the need for a common definition of supported employment. First, the Task Force recognized that various federal program definitions must be accepted in order to maintain federal funding. These definitions are contained in Titles I and VIC of the Vocational Rehabilitation Act, Title XIX of the Medical Assistance Act, and the waiver provisions of the Medical Assistance Act. /3 If passed, the Chafee amendment also contains a definition of supported employment.

After recognizing the existence of these federal definitions, the Task Force discussed developing its own definition of supported employment. Certain members expressed their constituents' concerns about inventing a new definition. These constituents preferred that the Task Force accept one of the existing definitions. Nonetheless, the Task Force unanimously recommended that the Task Force's definition be used in the discussion and/or development of a supported employment system for the State of Minnesota. The definition is as follows:

Supported employment must include the following elements:

1. The "persons with disabilities" who receive supported employment services include any person with disabilities, regardless of the severity of his/her disabilities;
2. A wage is to be received by the person with disabilities;/2
3. Support is to be provided to the person with disabilities as long as s/he needs it to retain his/her job;
4. Public funds are to be used to support the employment of a person with disabilities;
5. The person with disabilities is to be employed at a place other than a segregated facility/service provider (e.g., DAC or sheltered workshop); and
6. The employment is to be integrated except when the nature of the employment precludes the possibility of integration (e.g., night watchman position).

Zero-exclusivity is a major element in the Task Force's definition. Therefore, a majority of the members of the Task Force specifically recommended that no State program for the administration of State funds for supported employment should be permitted to restrict eligibility for supported employment services to persons who have a certain type or severity level of disability. By accepting this principle, the Task Force wishes to insure that people with the most severe disabilities are served.

However, a majority of the members of the Task Force recommended that, as to other elements of the definition, State agencies should be permitted to establish requirements (e.g., minimal wage, number of hours/week) which are more stringent or restrictive than the elements of the Task Force's definition. The

majority of the Task Force felt that State agencies should be permitted to identify and fund "preferred" supported employment services. It was noted that, without more stringent eligibility requirements than those contained in the Task Force's definition of supported employment, a State agency might be required to fund a supported employment service in which a person with disabilities receives only one cent per hour and works only one half-hour per week.

A minority of the members of the Task Force felt that no State program for the administration of State funds for supported employment should be permitted to have eligibility requirements which are more stringent or restrictive than any of the elements contained in the Task Force's recommended definition of supported employment. These members of the Task Force supported this position because they felt that it would increase the array of fund-able services and thus increase the ability of the State and providers to provide and fund services which best meet the needs of each individual person with disabilities.

2. Number of points of entry into the supported employment system

In written responses to a question regarding this issue, most of the members of the Task Force indicated that they felt that there should be only one point of entry into the supported employment system in order to make access simpler and easier for the person with disabilities, to minimize duplication, to provide greater accountability and better tracking, and to ease coordination of supported employment with other, related services. A minority of the Task Force members argued that there should be multiple points of entry in order to avoid potential bottlenecks at a point of entry and to permit the existence and application of more than one set of criteria for determining whether activities qualify for supported employment funding.

The discussions of the Task Force mirrored the above-referenced points. However, the members also clarified the meaning of "a point of entry" by emphasizing that the role of this point(s) of entry should be only intake, and not all of the other components of case management. In addition, several Task Force members pointed out that those persons who serve at the point of entry will require significant training regarding the various supported employment programs which exist. Following an extensive discussion, a majority (9-4) of the members of the Task Force voted that there should be one point of entry into the supported employment system for the person with disabilities. Task Force members Crowe, Wieck, Skarnulis, Gurney, Woehrlin, Jerry Mueller, Piper, Elliot and Larson voted in the majority. Members Spears, Berg, Jim Mueller and Iseminger voted in the minority. The Task

Force then addressed the issue of where the one point of entry should be located. They discussed several options, including: interagency cooperation in developing one point of entry, the county case management system as point of entry, DRS as point of entry and the development of a new, quasi-public corporation as point of entry.

Several members of the Task Force, including Wieck and Spears, expressed interest in the interagency coordination model. However, some members of the Task Force indicated a concern regarding accountability in the interagency model. Others pointed out that, under the present Rule 185 system, there is supposed to be coordination and referral between DHS and DRS. (It was generally agreed that there must be education regarding the requirements of Rule 185 and other case management rules for other service population groups [i.e., mentally ill, chemically dependent, etc.]--that DHS and DRS frequently do not know enough about the services that each offers; that the county case managers are doing more assessments than are needed for certain clients; etc.)

Several members of the Task Force expressed their preference for the county case management system as the point of entry, pointing out that this would promote a holistic approach in assessing and dealing with a person with disabilities' total needs. There was strong opposition to this specific proposal and the general approach which it suggests. Specifically, Spears and Davis-Korf pointed out that some people want only supported employment; they do not want any other services. Spears and Davis-Korf argued that these people should not be required to enter the county case management system and to submit to various assessments and evaluations, just to get a job. Several Task Force members also pointed out that persons with disabilities may choose against supported employment because county human services offices are associated with "dependency" or a welfare image that is contradictory to supported employment. These members noted that the regular population receives education and employment through agencies other than county human services. Some members argued that there should be a simpler, more direct route for persons to get supported employment, which would avoid the bureaucracy of the county welfare agency or any other governmental superstructure.

Sen. Piper then suggested that, in order to build upon the strengths of the present system(s) for providing supported employment, the Task Force ought to recommend that an outside, objective creative planner should explore possible options and make a recommendation regarding the implementation of one point of entry. All of the members of the Task Force voted for this proposal. (Later, the Task Force amended this proposal by adding

that the creative planner should make use of agencies, interagency groups, advocacy groups and any other interested parties in exploring options and making a recommendation.)

In order to give the creative planner some guidance regarding the level of support for the options described above, the Task Force also voted on several of the options:

1. By a vote of 4 to 9, the Task Force indicated majority opposition to the option of maintaining the present system. (Berg, Jim Mueller, Spears and Iseminger were in the minority on this option.)
2. By a vote of 9 to 4, the Task Force indicated majority support for the option of appointing the county social services department as the "point of entry" for intake and referral to all agencies (e.g., DRS, Education, etc.). Members of the Task Force noted that the county social services department would require training and clear referral standards to fill this role. (For example, certain members of the Task Force noted that the county should not require psychological evaluations for persons who want only supported employment and do not need such evaluations.) Other members added that DRS should always be involved in placement, etc. for supported employment. A majority of the Task Force members expressed their concern that persons with certain disabilities may not be served if the counties' present mandate remains in place; they emphasized the need to establish zero-exclusivity. Members who voted in the minority also had a concern that a county may not fund services if they are provided in another county. (Berg, Jim Mueller, Spears and Davis-Korf voted in the minority on this option.)
3. By a vote of 4 to 9, the Task Force indicated majority opposition to the option of appointing DRS as the "point of entry" for intake and referral in the supported employment system. (Berg, Jim Mueller, Spears and Davis-Korf voted in the minority on this option.)
4. By a vote of 4 to 9, the Task Force indicated majority opposition to the option of appointing a new, quasi-public corporation as point of entry. (Jerry Mueller, Iseminger, Spears and Davis-Korf voted in the minority on this option.) The members who voted in the minority expressed great concern about abandoning this option. They emphasized that a quasi-public corporation could be created in order to carry out other functions as well.

3. Number of methods for determining whether a person with disabilities is eligible for supported employment

The Task Force adopted the following, substantive statement regarding eligibility:

Every person with disabilities, regardless of the severity of the disability, will be eligible for supported employment, and supported employment must be offered as an option to such a person, unless the person could be competitively placed with no ongoing support. However, each program may have its own, other criteria (regarding number of hours, wages, number of non-disabled persons at worksite, etc.) for determining whether or not an activity qualifies as fund-able supported employment.

Excluding the clause which requires offering supported employment as an option to a person with disabilities, all of the members of the Task Force voted in support of this statement. A majority of the Task Force members also voted for the clause which requires offering supported employment as an option.

Once they had determined that every person with disabilities is eligible for supported employment, the Task Force then had to address the process for determining the appropriate supported employment option. More specifically, the Task Force asked who should participate with the person with disabilities in choosing the appropriate supported employment option. Most Task Force members were comfortable with the inter-disciplinary team as the forum for choosing the appropriate supported employment option. However, Davis-Korf expressed great concern regarding the reality of person with disabilities choice within the potentially coercive context of the inter-disciplinary team. In response, Woehrlin suggested that the person with disabilities ought to have the power to veto the choice of a particular supported employment option and Wieck pointed to the need for training in techniques (i.e., inclusion of family members, etc.) that will make choice for persons with disabilities more of a reality. In addition, Skarnulis reminded the Task Force that there is a legislatively-mandated case management appeal process.

By a vote of 13 to 0, the Task Force voted that the inter-disciplinary team should participate with the person with disabilities in choosing the appropriate supported employment option and that the choice of the person with disabilities should be encouraged and respected in this process. (Crowe, Wieck, Skarnulis, Gurney, Woehrlin, Jerry Mueller, Jim Mueller, Berg, Piper, Elliott, Iseminger, Spears and Larson voted in support of this proposal. Davis-Korf abstained.)

At early meetings of the Task Force, members discussed a large number of options which could serve to develop or encourage choice by the person with disabilities and thus could enable him/her to exercise greater control over services and funding. These suggestions are included in this Report but require further development./5

All of the Task Force members further agreed that persons with disabilities should not be required to meet any "readiness" or "incentive" criteria before entering into supported employment (i.e., a requirement that a person with disabilities must spend a month in a DAC, rehabilitation facility or class, a requirement that a person with disabilities have a history at an in-center program, etc.). Rather, each person with disabilities should be placed into the supported employment opportunity which best matches the existing needs and skills of the person with disabilities. Members of the Task Force spoke in favor of on-the-job assessments.

4. Number of pools of state-controlled funds (i.e., CSSA, Extended Employment, Title XX, etc.) from which persons with disabilities receive funds for supported employment

By a vote of 13 to 0, the Task Force voted for multiple pools of state-controlled funds rather than combining all sources into one pool. Task Force members expressed great concern about the possibility of taking any monies away from persons presently served. However, several members spoke in support of drawing upon these funds in an agreed-upon order (e.g., look to federal monies first, then to one agency for up-front costs, and then to another for ongoing support).

In addition, all of the attending members of the Task Force voted in support of a recommendation that new state funds be allocated to supported employment, without pulling any monies from existing supported employment funding sources.

Task Force members discussed possible sources of new monies. Suggestions included: joint funding requests by DHS and DJT to the Legislature; counties; funds which would follow a person with disabilities from a regional treatment center; public-private grants; and possible new federal funding as a result of changes in legislation/regulations. It was also suggested that no new supported employment funds should be allocated for in-center programs.

The Task Force also discussed what these new monies should fund. First, all Task Force members agreed that this new pool should not be subject to the limitations which restrict the use of present funding sources. Second, the members of the Task Force suggested the following uses: actual services for individuals; a

pilot project using vouchers; job coaches; incentives for new and/or existing providers; funds for conversion by providers; venture capital for loans to providers; training; and transportation expenses.

The Task Force appointed a subcommittee consisting of Wieck, Skarnulis, Troolin and Spears to determine the details of a funding recommendation. At the last meeting of the Task Force, the subcommittee reported its proposal (see Recommendations on Funding Community/Supported Employment). After discussion, the Task Force determined to make the following recommendations:

1. All levels of government should share in the costs of supported employment.
 - a. Federal funds should be maximized whenever possible, and Minnesota should support expansion of federal initiatives such as S. 1673.
 - b. State funds must be increased to allow expansion of community/supported employment.
 - c. Local entities (schools and counties) should be encouraged to redirect existing funds to finance community/supported employment. The increased cost of financing community/supported employment cannot be borne exclusively by local entities.
2. Disparities in the amount of funding and fiscal disincentives in the method of funding should be eliminated for individuals in supported employment. Individuals in community/ supported employment should have adequate, stable funding regardless of severity of disability, location within the state, or the type of provider/agency.
3. Annual goals, such as placements in supported employment of 10% of those remaining in DACs and rehabilitation facilities, should be established. Goals for the schools should reflect a greater increase of students participating in vocational opportunities.
4. Current funding levels must be maintained in order to maintain the current level of services to persons with disabilities.

5. The Task Force also recommends that new State funds in the amount of \$4,248,500 be allocated to cover the costs associated with: a) providing supported employment to an additional 10% of the persons with disabilities who presently remain in developmental achievement centers and rehabilitation facilities (approximately \$3,134,000.00); b) providing assistance from job coaches to an additional 20% of the students who are in special education programs (approximately \$614,500.00); and c) providing the necessary training and technical assistance (approximately \$500,000.00). (Without adequate training, it is questionable whether programs can or should offer additional supported employment.) See Recommendations on Funding Community/Supported Employment (attached) for greater detail regarding these allocations.
6. If there are any new state funds, there should be a three-way split (based on the additional cost of providing supported employment services to each person with disabilities and the number of additional persons to be served) among DHS, DRS and the Department of Education. (Each of the agencies has established the method of allocation for these funds.)
7. If an RFP process is used by the state agencies, there should be coordination in the process (e.g., synchronized timing of the application approach, use of a joint review of proposals, use of a joint evaluation method to assess the impact of the funds, etc.).
8. Although priority is being given to providing supported employment to additional persons with disabilities and to training, there are several other areas that need funding. They include:
 - a. Transportation.
 - b. Advocacy, including self-advocacy committees.
 - c. Monitoring, especially use of volunteers (parents, interested citizens).
 - d. Creation of a quasi-public corporation to provide technical assistance to agencies that want to begin or convert to supported employment.
 - e. Quality assurance, evaluation, program reviews, and safety.

5. Number of systems or sets of providers of supported employment

By a vote of 13 to 0, the Task Force voted in favor of multiple sets of providers of supported employment, like developmental achievement centers, rehabilitation facilities and others. Members explained that multiple sets of providers will foster competition, creativity, flexibility and a diversity of services to meet person with disabilities' needs/choices. Further, by a vote of 12 to 0 the Task Force voted in favor of not requiring any provider to specialize (i.e., types or levels of disabilities, types of work, etc.). Members feared that specialization could undermine both hoped-for diversity in services and the zero-reject model which the Task Force supports. Third, by a vote of 13 to 0, the Task Force voted in favor of requiring all providers to meet applicable funding/licensing standards in order to insure that persons with disabilities receive quality services.

Davis-Korf expressed a concern regarding areas in the state where there are no providers of supported employment services and suggested that small businesses or other employers should be encouraged to offer supported employment opportunities. Wieck pointed out that there are incentives in place to encourage innovative supported employment opportunities (i.e., targeted job tax credits). By a vote of 12 to 0, the Task Force voted in support of the recommendation that new providers should be encouraged and that available incentives should be used for the development of supported employment.

6. Number of systems for purchasing the supported employment services which best meet the individual needs of the person with disabilities

As a result of the discussion of Issue 4, the members of the Task Force determined that there must be multiple systems for purchasing supported employment services.

7. Accessibility of funding sources (e.g., MA monies, CSSA monies, Extended Employment monies) to providers of supported employment services

The members of the Task Force unanimously agreed that all funding sources should be accessible to any provider of supported employment, as long as the provider meets the applicable standards of the funder. Such standards may be particularly restrictive for federal funding sources.

8. Number of sets of criteria for evaluating supported employment services for the person with disabilities, regardless of the provider

Due to time constraints, several Task Force members were unable to vote upon this issue. However, Task Force members Crowe, Wieck, Gurney, Woehrlin, Jerry Mueller, Spears, Elliott, Iseminger and Davis-Korf (all of whom remained for the discussion of this and the next issue) unanimously agreed that there should be one set of criteria for evaluating supported employment services for the person with disabilities, regardless of the provider. Then, the members clarified the meaning of "criteria" by recognizing that there are three purposes to a system of evaluation and that each purpose may require different evaluation criteria: (a) providers need to meet certain criteria to be licensed or accredited, (b) providers need criteria to assess how well they are producing output (number of people served, hours worked, wages earned), and (c) providers need "quality assurance" systems/6 to assess how well they are doing from several perspectives (i.e., consumers, families, etc.). The Task Force members felt that there should be one set of criteria -- for each of these three levels -- which apply to all providers.

The Task Force then discussed how these criteria could be established. Some members expressed a strong preference for an open process. Others focused on the need for an efficient process. Still others spoke up in support of a process which will produce a simple set of criteria. After this discussion, the Task Force voted 8 to 0 (1 abstention) in favor of the recommendation that the State Planning Agency, or its designee will chair a group which will: 1) determine the need for developing or amending the above-described criteria and 2) develop any needed criteria. The focus should be on simplicity and on developing criteria in an appropriate context (i.e., criteria regarding quality assurance need not be part of the rulemaking process). (Crowe, Wieck, Gurney, Woehrlin, Jerry Mueller, Spears, Elliott and Iseminger voted in favor of this recommendation. Abstaining was Davis-Korf.)

9. Number of systems or entities which enforce compliance with the criteria for evaluation of supported employment services

First, members of the Task Force noted that each funding source will be required to enforce compliance with applicable evaluation criteria or outcome guidelines. However, there may be some benefit in establishing one entity or system for enforcing compliance with input standards and quality assurance. The members agreed that the same advisory group which will make a determination regarding Issue 8, above, should also address this issue.

CONCLUDING RECOMMENDATIONS

In sum, the Task Force recommends that there should be multiple systems or sets of providers of supported employment, multiple pools of state-controlled funds for supported employment and multiple systems for purchasing supported employment services for persons with disabilities.

However, the Task Force also recommends that there should be one point of entry (i.e., intake) into the supported employment system, a uniform policy of zero-exclusivity, uniform encouragement of choice by the person with disabilities, uniform participation of the interdisciplinary team in choosing the appropriate supported employment option, and uniform criteria for evaluating supported employment services, regardless of the provider. In addition, the Task Force recommends that all funding sources should be accessible to any provider of supported employment, as long as the provider meets the applicable standards of the funder. Finally, although not specifically addressed in the body of this Report, the Task Force strongly recommends uniform data collection for DHS, DRS and the Department of Education.

The Task Force recommends that \$4,248,500.00 in new State monies be allocated to supported employment in order to provide: supported employment services to an additional 10% of the persons with disabilities who presently remain in DACs and rehabilitation facilities; job coaches to an additional 20% of the students who are presently in special education programs; and necessary training and technical assistance (see pp. 15-16 of this Report for details).

In order to permit the implementation of these recommendations, the Task Force further recommends that:

1. An outside, objective creative planner/consultant should explore possible options and make a recommendation regarding the choice and implementation of one point of entry. The creative planner should make use of the guidance provided by the Task Force regarding the levels of support for various options (see p. 12 of this Report).
2. The State Planning Agency or its designee should chair a group which will: a) determine the need for developing or amending a uniform set of criteria to evaluate supported employment services; b) develop any needed criteria; and c) address the issue of enforcing compliance with criteria.

3. The Supported Employment Advisory Committee or the Supported Employment Policy Committee (with equal participation by each of the state agencies and input from the counties and service providers) should be given responsibility for implementing all of the other recommendations contained in this Report, including developing cross-system uniformity in the areas of: a) data collection; b) accessibility to funds; and c) application of the principle of zero-exclusivity.

The Task Force anticipates and encourages the use of pilot projects or actual, in-the-field trials to develop and test options for implementing the recommendations of the Task Force.

FOOTNOTES

1. The Task Force found the following strengths and limitations in DHS and DRS programs:

DHS

Medical Assistance Program--Strengths

1. More money (key actors--federal government, State legislature and counties)
2. Able to serve many persons with disabilities (key actors--federal government and State legislature)
3. Able to serve very severely disabled (key actors--federal government and State legislature)
4. Flexibility is allowed by waiver (key actors--federal government and State legislature)
5. County case management system allows integrated approach to person with disabilities needs; attention to variety of services fosters person with disabilities ability to engage in supported employment (key actor regarding requiring or allowing provision of services--federal government; other key actors--State and counties)
6. Communities are involved in planning and providing services (key actors--federal government, State and counties)
7. Perception as entitlement program; works to the advantage of counties requesting additional monies for services (key actors--federal government, State and counties)
8. DHS is willing to and is working on a funding formula which will allow for a more flexible system to meet person with disabilities needs (key actor--State legislature)

Medical Assistance Program--Limitations

1. Unclear whether MA monies are available for supported employment but the providers are being pushed in that direction (key actors--federal government and State agencies)

2. Two-tiered (MA vs. CSSA) level of funding; persons with disabilities have access to different types or extent of services depending on funding source (key actor--federal government)
3. Funding not generally flexible enough to meet person with disabilities' needs (key actor regarding approved range of services--federal government; key actor regarding person with disabilities case mix and funding formula--State legislature)
4. Funding is facility-based; monies do not follow person with disabilities (key actor--State but change would require federal approval)
5. "Persons with disabilities" limited to individuals who are developmentally disabled and MA-eligible (key actor--federal government)
6. Change is difficult due to the number of governmental entities/layers involved (key actor--State legislature and counties; also, any change would require federal approval)
7. Waiver slots are capped (key actors--federal and state governments)
8. Monitoring needs improvement (key actors--State and counties)
9. Funding is historically-based (key actors--State and counties; change would require federal approval)
10. Funding is not outcome-oriented (key actors--State and counties; change would require federal approval)
11. Data base needs improvement (key actors--State and counties)
12. Direction from State not clear (key actor--State)
13. This system less accessible to advocates; avenues for input or appeal not clear (key actors--State and counties)

CSSA Program--Strengths

1. No limits on use of monies in supported employment (e.g., types of persons with disabilities, services which can be licensed, where persons with disabilities live) (key actors--State and counties)

2. Case manager promotes more integrated view of person with disabilities and his/her needs (key actors--State and counties)
3. More county ownership/connection (key actor--counties)
4. Has potential to be person with disabilities-based (key actors--State and counties)

CSSA Program--Limitations

1. Number of layers of governmental entities--particularly counties--involved (key actors--State legislature and counties)
2. Monies are limited; counties do not levy for additional funds (key actors--State legislature and counties)
3. Program tends not to fund services at rehabilitation facilities at same level as funding for services at DACs (key actor--counties)
4. Monitoring needs improvement (key actors--State and counties)
5. Funding is facility-based (key actors--State and counties)

DRS

Extended Employment Program--Strengths

1. Experienced vocational services provider (key actor--State)
2. Rules have been promulgated for long-term supported employment (key actor--State)
3. M.I.S. in place (key actor--State)
4. Funding is tied to outcomes (key actor--State)
5. Persons with disabilities not limited to developmentally disabled (key actor--State)
6. Stakeholders determine certification program and standards (key actor--State)

Extended Employment Program--Limitations

1. Cannot use program funds for other vocational rehabilitation programs (e.g., short-term training) (key actor--State)
2. Inadequate funds because workshop staff ratios are lower than the ratios needed to staff supported employment services (key actor--State)
3. Funding formula complex and untested (key actor--State)
4. Funding formula not individualized to meet person with disabilities need (key actor--State)
5. Screening tool, Functional Assessment Inventory, designed for more highly functioning persons with disabilities (key actor--State)
6. Persons with disabilities with severe mental retardation represent relatively small percentage (7.4%) of all persons who receive supported employment funded by EE program (key actor-State)
7. Lack of local control and input (key actor--State)
8. Narrow focus of services is on work alone (key actor--State)
9. Fewer sites, services less dispersed (key actor--State)
10. More difficult to get funding because program is perceived as discretionary (key actor--State)

Vocational Rehabilitation Program--Strengths

1. Experienced vocational services provider (key actor--federal government)
2. Rules have been promulgated for long-term supported employment (key actor--federal government)
3. Management information system is in place (key actor--State)
4. Experienced with inter-agency program, OSERS (key actor--State)
5. Funding is flexible; can purchase any service which will allow person with disabilities to get work (key actors--federal government and State)

6. Program has been coordinated with Extended Employment program to prevent duplication and permit smooth funding of services for persons with disabilities (key actor--State)
7. Funding not limited to developmentally disabled persons with disabilities (key actor--federal government)
8. From State administrative perspective, regional system works well (key actor--State with federal approval)
9. Standards and certification process are in place (key actor--State)

Vocational Rehabilitation Program--Limitations

1. Inadequate funding (key actors--federal government and State which provides matching funds)
2. Small program which gets ignored, particularly in terms of funding (key actor--federal government)
3. Perception that program serves relatively small number of persons with severe mental retardation; some concerns that this perception is not accurate (key actor--State)
4. Lack of local control or input (key actors--State with federal approval)
5. Narrow focus of service is on work alone (key actor--federal government)
6. Time-limited funding; cannot be switched to provide extended employment services (key actor--federal government)
7. From provider/person with disabilities perspective, more difficult to access regional system than county system (key actor--State)

2. At the first and second meetings, the Task Force identified a large number of interests which have to be addressed in the system for providing supported employment. These interests included:

- Need for greater responsiveness to person with disabilities need

- Need a "system" which is consistent, non-duplicative (e.g., in regulations, entry of persons with disabilities, data collection, roles and responsibilities of providers, types of persons with disabilities served, person with disabilities benefits, case management systems, funding, "waivers")
- Need a "system" which is administrable and as simple as possible
- Need a "system" which involves and provides for coordination of all relevant parties (i.e., parents, persons with disabilities, regulatory agencies, providers, county case managers, educational system)
- Funding Needs:
 - Need to reimburse adequately for services that meet persons with disabilities' individual needs- Need funds for expanded number of "persons with disabilities" (define?)
 - Need to address limitations in monies available- government and private
 - Need to encourage - financially - creative options in a variety of work environments
 - Need consistency in federal/state funding systems
- Need to expand definitions of "work" and "mainstream"
- Need to make use of existing resources (i.e., personnel, physical plant)
- Need to recognize tension in decision-making - between parents, persons with disabilities, case managers, providers
- Need for education - of parents, persons with disabilities, case managers, staff (training), society
- Need to provide for smooth transition regarding any changes made to present system
- Need accountability mechanism (to insure quality, evaluate effectiveness, cost)
- Need for equity across state - equal services to those with equal need/roughly equal funds
- Need to provide transportation, support services, social security, etc.

- Continuation of State control - one agency for all vocational programs.
- Minimal standards need to be set up for providers of services; presumption that person with disabilities can move from service to service when dissatisfied.

3. Titles I and VIC of the Vocational Rehabilitation Act provide that:

(1) "Supported employment" means -

(i) Competitive work in an integrated work setting with on-going support services for individuals with severe handicaps for whom competitive employment -

(A) Has not traditionally occurred; or

(B) Has been interrupted or intermittent as a result of severe handicaps; or

(ii) Transitional employment for individuals with chronic mental illness; and

(2) As used in the definition of "supported employment" -

(i) "Competitive work" means work that is performed on a full-time basis or on a part-time basis averaging at least 20 hours per week for each pay period and for which an individual is compensated in accordance with the Fair Labor Standards Act.

(ii) "Integrated work setting" means job sites where -

(A)(1) Most co-workers are not handicapped; and

(2) Individuals with handicaps are not part of a work group of other individuals with handicaps; or

(B)(1) Most co-workers are not handicapped; and

(2) If a job site described in paragraph (A) (2) of this definition is not possible, individuals with handicaps are part of a small work group of not more than eight individuals with handicaps; or

(C) If there are no co-workers or the only co-workers are members of a small work group of not more than eight individuals, all of whom have handicaps, individuals with handicaps have regular contact with non-handicapped individuals, other than personnel providing support services in the immediate work setting.

(iii) "On-going support services" means continuous or periodic job skill training services provided at least twice monthly at the worksite throughout the term of employment to enable the individual to perform the work. The term also includes other support services provided at or away from the work site such as transportation, personal care services, and counseling to family members, if skill training services are also needed by and provided to that individual at the work site.

(iv) "Transitional employment for individuals with chronic mental illness" means competitive work in an integrated work setting for individuals with chronic mental illness who may need support services (but not necessarily job skill training services) provided either at the work site or away from the work site to perform the work. The job placement may not necessarily be a permanent employment outcome for the individual; and

(v) "Traditionally time-limited post-employment services: means services that are -

(A) Needed to support and maintain an individual with severe handicaps in employment;

(B) Based on an assessment by the State of the individual's needs as specified in an individualized written rehabilitation program; and

(C) Provided for a period not to exceed 18 months before transition is made to extended services provided under a cooperative agreement pursuant to Section 363.50.

Title XIX does not contain a definition of supported employment. However, it permits social and supportive services to be claimed as allowable Medicaid expenses, provided such services are a necessary but subordinate part of furnishing an eligible recipient with needed medical and remedial care.

The waiver provisions of the Medical Assistance program provide that supported employment can be funded when the following criteria are met:

1. The individual resided in an ICF/MR or regional treatment center immediately prior to being serviced under the waiver.
2. The services are authorized by the case manager as part of an individual service/habilitation plan.
3. The individual engages in paid employment in a setting where persons without disabilities are also employed, particularly existing businesses or industry sites.
4. Public funds are necessary for the purpose of providing ongoing training and support services throughout the period of employment.
5. The person has the opportunity for social interactions with persons who do not have disabilities and who are not paid caregivers.
6. The person is not eligible for the particular supported employment service from a vocational rehabilitation program funded under Section 110 of the Rehabilitation Act of 1973 (29 USC 730) as amended in October of 1986 and delivered by vocational rehabilitation counselors (hereinafter called DRS/VR). A finding that the person is not eligible for a particular service or that the needed services are not available from DRS/VR must be based on written documentation on forms supplied by the Commissioner and filed with the individual service plan.

4. This element does not apply to training services and/or services for non-adult persons with disabilities in school.

5. These suggestions included the following:

A. Development of person with disabilities' ability to choose--as child.

1. Secondary schools to provide education in living skills, as well as academics;
2. Integrate children in school at secondary level;
3. Permit children to experience various job opportunities;
4. Continue county case management while a person with disabilities is in school to insure connection between in-school learning and after-school employment;
5. Permit children to attend and participate in conferences when decisions are being made about services or placement;
6. Provide training and career counseling for parents of persons with disabilities;
7. In-service training for schools, staff, superintendents, principals, school boards.

B. Development of person with disabilities' ability to choose--as adult.

1. Provide training to adults; give them a job sampling for a few days--a "rotation"--and allow them to make "mistakes" as part of exercising their right to choose; build in mechanism for recovery from "mistakes;" after rotation, case manager and person with disabilities to discuss what person with disabilities liked best;
2. Utilize technical institute system in some way.

C. Development of system that insures that person with disabilities is given opportunity to choose.

1. For adult persons with disabilities, counties to reimburse neutral "advocate" who will act on person with disabilities' behalf or see that person with disabilities is given choice;

2. Require that persons with disabilities be asked on a regular basis what they want, at a level which persons with disabilities understand (e.g., at team meetings or by case manager or VR counselor);
3. Provide for flexible funding which allows the person with disabilities or case manager to purchase what person with disabilities wants and needs (see Title I as model);
4. Development of plans to be done by team which includes person with disabilities, VR counselor, county manager, other interested parties;
5. Insure that appeal by person with disabilities is available (with involvement of advocacy groups?);
6. Give preference to child/person with disabilities-parent choice; give counties opportunity for appeal if they do not feel choice is in best interests of child.

D. Development of system that insures that choices exist.

1. Offer incentives to service providers to encourage them to provide different types of services and placements to persons with disabilities (e.g., financial reward for number of different types of services or placements available or actually provided to persons with disabilities);
2. Insure accessibility in supported employment through supports like alternative communication training, technology, etc.;
3. Allow person with disabilities to choose not to enter system if person with disabilities has found alternatives;
4. Provide for regular agency review of services;
5. Utilize post-secondary educational system to educate professionals on providers' staff, in state agencies, etc.;
6. Providers, Job Service, parents to educate/recruit employers to provide supported employment;
7. Determine regional job opportunities by examining job turnover rates and sending out questionnaires to public entities, corporations;

8. Existing private temporary help agencies to incorporate training, services for persons with disabilities;
9. Providers to develop "Manpower"-type agencies (i.e., temporary work organizations) and not require employers to cover Social Security, worker's compensation, etc.;
10. State to offer tax incentives for big corporations; encourage corporations to provide volunteer executives and jobs.

6. The Task Force members favored a multi-faceted approach to quality assurance, including: interviewing persons with disabilities; surveying family members and friends; collecting quantitative data across programs; monitoring person with disabilities activities to determine if individual objectives are reached; selecting and reviewing individual plans to assess adequacy and appropriateness; assessing qualitative aspects of employment; knowing and visiting persons with disabilities; participating in the development of individual plans; monitoring implementation; reviewing plant for compliance with licensing standards; reporting on numbers of people served and funds expended; reviewing information gathered as a result of above-described functions; and providing rewards, sanctions, training or technical assistance based on a review of information gathered.

In early meetings, the Task Force considered a system in which the state could set aggregate quality assurance parameters, including requirements for licensing and certification. The county could implement the quality standards within the State-established parameters and could focus its attention on the quality of service received by individual persons with disabilities (perhaps through an expanded case management review system to involve more people). Other organizations/people, e.g., advocacy groups, guardians, and families, could be involved in quality assurance at the individual level to perform tasks such as sending out satisfaction questionnaires and bringing in appropriate experts.

APPENDICES

TABLE OF APPENDICES

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- B Summaries of meetings of the State Task Force on Employment
- C Tables from DRS, Department of Education and DHS regarding persons who could benefit from supported employment
- D Summary of the NASMRPD Report entitled "Supported Employment: Federal Policies and State Activities Related to Integrated Work Opportunities for Persons with Developmental Disabilities"
- E Summary of Levels of Quality Assurance
- F Comparison of Supported Employment Funded by DHS, DRS and Department of Education
- G Memorandum Regarding Severity of Disability in Community Employment Programs in DACs and Extended Employment Facilities
- H Recommendations on Funding Community/Supported Employment

APPENDIX A

MINNESOTA LAWS 1987
CHAPTER 403, ARTICLE 5
SECTION 21

15 Sec. 21. [TASK FORCE.]

16 Subdivision 1. [TASK FORCE CREATED.] The director of the
17 state planning agency shall form and chair a task force to
18 review and make recommendations by February 1, 1988, regarding
19 the appropriate roles of development achievement centers and
20 sheltered workshops in providing supported work opportunities to
21 people with disabilities.

22 Subd. 2. [MEMBERSHIP.] The task force must include the
23 chairs of the health and human services committees of the
24 Minnesota senate and house of representatives, or their
25 designees, sheltered workshops, developmental achievement
26 centers, county government, the departments of human services
27 and jobs and training, the special education unit of the
28 department of education, the state planning agency, advocacy
29 organizations and the Minnesota supported employment project
30 advisory committee. The state planning agency shall consult
31 with the associations representing sheltered workshops and
32 developmental achievement centers and attempt to select service
33 provider members representing all programmatic and philosophical
34 perspectives.

35 Subd. 3. [EXTENDED EMPLOYMENT PROGRAMS.] For purposes of
36 this section, "extended employment programs" means programs

1 providing paid work and service hours as a step in the
2 rehabilitation process for those who cannot readily be absorbed
3 in the competitive labor market, or during such time as
4 employment opportunities for them in the competitive labor
5 market do not exist. Extended employment programs include the
6 following:

7 (1) long-term employment programs as defined at Minnesota
8 Rules, part 3300.2050, subpart 16;

9 (2) work activity programs as defined at Minnesota Rules,
10 part 3300.2050, subpart 33;

11 (3) work component programs as defined at Minnesota Rules,
12 part 3300.2050, subpart 34;

13 (4) community-based employment programs as defined at
14 Minnesota Rules, part 3300.2050, subpart 3.

15 Subd. 4. [SCOPE OF THE TASK FORCE.] The task force shall
16 review and make recommendations to the legislature and affected
17 state departments on the following:

18 (1) the role and function of developmental achievement
19 centers, sheltered workshops, and other services providing
20 employment to people who are severely disabled;

21 (2) mechanisms for identifying and placing clients in
22 appropriate services;

23 (3) current and recommended funding methods for
24 developmental achievement centers and extended employment
25 programs and the relationship between funding and placement of
26 clients;

27 (4) current regulations and program standards including
28 accountability requirements and outcome measures.

29 Recommendations for common standards for all similar programs
30 shall be included;

31 (5) improved ways of providing employment services to all
32 disabled persons regardless of the severity of their
33 disabilities, including persons not currently receiving services
34 through existing programs; and

35 (6) the need and scope of demonstration projects to
36 determine how existing funding can be consolidated or unified to

1 expand community-based/supported employment opportunities for
2 persons with severe disabilities and whether specific rule
3 waiver authority is required to accomplish this purpose.

4 Subd. 5. [COSTS.] The costs of the task force, if any,
5 shall be shared equally by the state planning agency, the
6 department of human services, and the department of jobs and
7 training.

8 Subd. 6. [COOPERATION OF STATE DEPARTMENTS.] The
9 commissioners shall cooperate with the task force and provide
10 information and support as requested.



APPENDIX B

SUMMARY OF SEPTEMBER 23, 1987 MEETING
OF
STATE TASK FORCE ON EMPLOYMENT

The State Task Force on Employment created by Minnesota Laws 1987, Chapter 403, Article 5, Section 21 held its first meeting on Wednesday, September 23, 1987. The Task Force was created to consider appropriate roles for sheltered workshops and developmental achievement centers in providing supported employment opportunities for persons with disabilities.

The following Task Force members were in attendance: Sen. Pat Piper, Rep. Becky Kelso, Arne Berg, Jim Mueller, Jerry Mueller, Nancy Gurney, Jeanne Crowe, Nancy Davis-Korf, Molly Woehrlin, Jerry Larson, Beth Iseminger, Carolyn Elliott, Ed Skarnulis, Marv Spears and Colleen Wieck. Barbara McAdoo and Nancy Welsh of Mediation Center facilitated the meeting.

Colleen Wieck first explained how members of the Task Force had been selected. Each member then introduced him/herself and explained his/her interest in serving on the Task Force. Finally, Bill Niederloh explained the background of the legislation creating the Task Force.

For the remainder of the day, the Task Force focused on:

- 1) What is wrong with the present system; the needs which are not being addressed; the needs which must be addressed in any future system; and
- 2) Brainstorming an "ideal" system which can offer employment opportunities to all persons with disabilities in Minnesota.

In addressing the first set of questions, the Task Force identified the following interests which must be addressed in any future system for providing supported employment opportunities to persons with disabilities:

INTERESTS FOR FUTURE SYSTEM

- Need for greater responsiveness to client need
 - Need a "system" which is consistent, non-duplicative (e.g., in regulations, entry of clients, data collection, roles and responsibilities of providers, types of clients served, client benefits, case management systems, funding, "waivers")
 - Need a "system" which is administrable and as simple as possible
 - Need a "system" which involves and provides for coordination of all relevant parties (i.e., parents, clients, regulatory agencies, providers, county case managers, educational system)
 - Funding Needs:
 - Need to reimburse adequately for services that meet clients' individual needs
 - Need funds for expanded number of "clients" (define?)
 - Need to address limitations in monies available - government and private
 - Need to encourage - financially - creative options in a variety of work environments
 - Need consistency in federal/state funding systems
 - Need to expand definitions of "work" and "mainstream"
 - Need to make use of existing resources (i.e., personnel, physical plant)
 - Need to recognize tension in decision-making - between parents, clients, case managers, providers
 - Need for education - of parents, clients, case managers, staff (training), society
 - Need to provide for smooth transition regarding any changes made to present system
 - Need accountability mechanism (to insure quality, evaluate effectiveness, cost)
 - Need for equity across state - equal services to those with equal need/roughly equal funds
 - Need to provide transportation, support services, social security, etc.
-

The Task Force then began brainstorming regarding the "ideal" system for providing employment opportunities to persons with disabilities in Minnesota and explored the following options:

OPTIONS

1. Redefinition of supported employment

- Develop consistent definitions and tracking across service providers and agencies
- Take into account federal rules and regulations
- Use 627 definitions ("supported employment") across agencies, regulated industries
- Use Task Force definition of "supported employment" across agencies and providers
- Gather all existing definitions and Task Force or subcommittee to review and choose best
- Undertake bureaucratic education and re-tooling to insure use of consistent definitions of "supported employment"; may require legislation
- Cross-reference state definitions/funding and federal definitions
- Develop one set of definitions and cross-reference the source of funds for each type of "supported employment"
- Establish various levels of "support" and "employment" and determine funding based on a "match" of level of support and level of employment
- Reimburse providers based on level of "integration"; rely upon definitions from last year's legislature: "independence", "productivity"

2. Redistribution or increase of government funding

- State to define employment as primary goal; define preferred services and fund those
 - Develop clear State mission regarding right to work/entitlement
 - Increase state/federal funding
-

3. Greater regional/county control of services and funding

- Greater case manager control
- As a pilot project, put all dollars in one county (which has DACs, rehabilitation facilities, case managers) in one pot and redistribute, waiving federal/state/CSSA requirements; redistribution to be done by board of "experts"
- As pilot project, redistribute dollars in one region, as above
- Break state into ten regions, develop general guidelines and redistribute dollars through ten pots
- Keep county-based funding but provide services regionally
- Consolidated fund - state dollars to be sent to counties to permit them to contract with providers
- Examine and use Wisconsin and California distribution systems
- Maintain state oversight, with state setting standards but county administering funds
- As pilot project, state to set competency, performance standards for counties
- Adopt regional structure for funding, administration, etc.

4. Greater client control of services and funding

- Client choice of services to be guiding principle
 - Providers to respond to "customer" needs (client, case manager)
 - Ask client what s/he wants to do and then create employment opportunity
 - Client to define what s/he wants through voucher system
 - Each child to get "book of certificates" that provides funding for various services through life; family to make certain covenants
 - Provide for retirement of clients as option available to them
-

5. Education of clients, parents, public sector

- Schools to educate parents, clients regarding available options
- Retrain case managers regarding range of options
- Build in opportunities for client to experience various work settings and build in mechanism for recovery from failure
- Educate parents and clients regarding access to supported employment opportunities
- Use computers, technological aids (ex., communication skills) to increase client's ability to work
- Allow children to experience various work experiences while they're in school; use Vector program as example (during last year of school, Technical Center - offers electives, internship - District 287)

6. Education/recruitment of potential employers

- Providers, Job Service, parents to educate/recruit employers to provide supported employment
- Bolster existing marketing efforts by Supported Employment Project
- Increase public relations for employers
- Providers to develop "Manpower"-type agencies (i.e., temporary work organizations) and not require employers to cover Social Security, worker's compensation, etc.
- State and providers to turn over supported employment to existing private temporary help agencies; these agencies to incorporate training, services for disabled clients
- Provide training, placement, recruitment
- Encourage public sector to provide supported employment opportunities
- Determine regional job opportunities by examining job turnover rates and sending out questionnaires to public entities, corporations
- "Profit centers" to subsidize supported employment

- State to offer tax incentives for big corporations; encourage corporations to provide volunteer executives and jobs

7. Consolidation of state regulatory agencies and personnel

- Apply same set of regulations, funding mechanisms to DACs and workshops for similar services while recognizing that they do serve some different clients (e.g., DACs serve clients recently released from state facilities) which may require different regulations/funding
- Consolidate case manager and rehabilitation counselor positions
- Do away with one of two (or three of four) state agency systems
- Do away with one of case management systems
- Create hybrid new agency

8. Consolidation or greater differentiation of provider systems

- Do away with one or more of provider system
- Consolidate provider systems - "murder or marriage"
- Continue and increase present overlap of services
- No overlap of services to be permitted
- Encourage development of more vendors of services who are not required to fit rigid provider roles

9. Focus on comparable funding

- Undertake comparison of funding per client
- Take into account extra costs (e.g., level of disability, resources in community, travel required, personnel) in determining funding; see educational funding factors in Minnesota

10. Other

- Plan "change mechanisms"
 - "Let go" - reduce regulations, oversight, standards
-

QUESTIONS TO BE ADDRESSED

- What is "supported employment"?
- Should the Task Force hold outstate meetings/hearings?

The members of the Task Force were encouraged to discuss the issues raised at this Task Force meeting with other interested parties, and to bring any additional suggestions or questions to the next meeting of the Task Force.

The Task Force adjourned at 3:00 p.m. The next meeting will be October 8, 1987.

SUMMARY OF OCTOBER 8, 1987 MEETING
OF
STATE TASK FORCE ON EMPLOYMENT

The State Task Force on Employment held its second meeting on Thursday, October 8, 1987. All Task Force members except Rep. Becky Kelso were in attendance.

The members of the Task Force were asked if anyone wished to add to the list of interests or options generated at the first session. The following possibilities were raised:

1. Need for supported transportation
2. Continuation of State control - one agency for all vocational programs.
3. Minimal standards need to be set up for providers of services; presumption that client can move from service to service when dissatisfied.

The Task Force decided to develop a consensus on four or five major goals for an ideal system for the employment of disabled persons. It was felt this could guide the group in future evaluation of the generated options. After extended discussion, the following goals were accepted:

1. Individual client needs should be met, both in terms of flexibility and quality of services;
2. Client choice should be encouraged and should guide the placement of clients;
3. There should be a presumption (which can be rebutted) that a client will be best served by integration and community placement;
4. The system should have adequate funding; and
5. The system should be consistent, non-duplicative and administrable.

When pressed, the members of the Task Force decided that the presumption towards integration and community placement could be rebutted by a client's choice of another type of placement.

The Task Force next addressed basic definitions of "client" to be served and "supported employment." After some discussion, "client" was defined as any person with disabilities, regardless of the severity of his/her disabilities. This means that the Task Force will attempt to fashion a system for the employment of persons with all types and degrees of disabilities.

In defining "supported employment," the Task Force developed basic assumptions underlying the concept of supported employment:

1. A wage is to be received by the client;
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2. Support is to be provided to the client as long as s/he needs it to retain his/her job;
3. Public funds are to be used to support the clients' employment;
4. The client is to be employed at a place other than a segregated facility/service provider (e.g., DAC or sheltered workshop); and
5. The employment is to be integrated whenever possible, provided that the type of employment does not preclude the possibility of integration.

After establishing these goals and definitions, the Task Force began to address the question of the focal point(s) for "control" (of regulations/standards, quality assurance, and funding) in a possible, ideal system for offering employment opportunities to persons with disabilities in Minnesota.

Standards and regulations - The Task Force members indicated that the State should be responsible for establishing regulations and setting aggregate standards.

Quality assurance - The Task Force members favored a multi-faceted approach to quality assurance and monitoring. The state should set aggregate quality assurance parameters, including requirements for licensing and certification. The county should implement the quality standards within the State-established parameters and should focus its attention on the quality of service received by individual clients (perhaps through an expanded case management review system to involve more people). Other organizations/people, e.g., advocacy groups, guardians, and families, should be involved in quality assurance at the individual level to perform tasks such as sending out satisfaction questionnaires and bringing in appropriate experts. At the next meeting, Task Force member Colleen Wieck will provide additional information regarding the various levels of quality assurance which can be addressed.

Funding - Four basic suggestions were presented by Task Force members addressing the question of who should fund services that permit clients to engage in supported employment.

1. The State should give a block grant to each of Minnesota's counties according to each county's estimate of the supported employment needs of its client population (such estimates would be similar to the projections made for independent living services).

The monies should be distributed according to State regulations providing for funds to follow the client. Before making any individual disbursement, the county manager should meet with the client and, together, they should determine the monies needed to provide appropriate services.

2. The State should give a block grant to several regions in Minnesota. Each region should purchase services for clients based on client needs and choice.
3. The State should purchase services directly from providers. The providers would receive money only for the services provided.
4. The State should provide a voucher or "book of certificates" to the client and his/her family in order to allow them to make choices between various services and providers.

In order to adequately evaluate and choose among the funding options, members of the Task Force felt that they had to have additional information regarding the present funding sources, e.g., MA, CSSA, VR and other funds, including levels of funding, funding paths, constraints on funding, etc. The State Planning Office has agreed to coordinate the provision of such information at the next meeting. Presentations on the substantive nature of the two existing programs will also be made.

The Task Force began to address the issue of the configuration of the "controlling" entity (or entities) for the system for employment of persons with disabilities. Options which have been suggested thus far include:

1. The smallest unit, the county, should control;
2. DRS should develop the standards and administer information management systems for all vocational services; another agency could regulate non-vocational services;
3. DRS and other agencies should enter into a cooperative arrangement, with each agency's role and function delineated in order to avoid duplication and permit general consistency;
4. The regulation of vocational services should be part of a whole, integrated system.

There was very little time to explore this issue and further discussion and analysis will occur at the next meeting.

The Task Force adjourned at 3:15 PM. The next meeting is October 20, 1987.

SUMMARY OF OCTOBER 20, 1987 MEETING
OF
STATE TASK FORCE ON EMPLOYMENT

The State Task Force on Employment held its third meeting on Tuesday, October 20, 1987. All of the Task Force members except Beth Iseminger (who sent an alternate) were in attendance.

The Task Force first considered the question of open hearings in outstate Minnesota and determined that a decision regarding this issue should be deferred until the fifth meeting, after the Task Force has had an opportunity to develop the outlines of an ideal system for the employment of disabled persons.

The members of the Task Force then wished to make certain revisions to the minutes of the October 8, 1987 meeting. The group reviewed the goals guiding the development of an ideal system for the employment of disabled persons and revised the goals as follows:

1. The needs of individual clients throughout the state should be met, both in terms of flexibility and quality of service;
2. Client choice should be encouraged and should guide the placement of clients;
3. There is a need for client integration, independence and productivity in the community, unless otherwise determined, on an individual basis;
4. The system should have adequate funding; and
5. The system should be consistent, non-duplicative and administrable.

The members also revised the description of quality assurance to note that, as one option, the counties "could" implement quality standards within state-established parameters.

The Task Force then heard presentations from: (1) Ed Boevie and Lisa Rodegard regarding MA and CSSA funding and regulations applicable to DACs and (2) Marvin Spears regarding the Vocational Rehabilitation Program and Extended Employment Program. During these presentations, several members of the Task Force requested a map of Minnesota which shows the location of providers of supported employment opportunities.

At the next meeting, Carolyn Elliot will make a similar presentation regarding Department of Education services to disabled children and the funding for such services. Between this meeting and the next, Nancy Welsh and Bobbi McAdoo will request that Ed, Lisa, Marv and Carolyn provide answers to a uniform set

of questions which apply to the various programs.

The Task Force also received hand-outs from Colleen Wieck regarding multi-level quality assurance and the programs in other states.

The Task Force then began to address the issue of the configuration of the "controlling" entity, which had been raised at the last meeting. The group accepted the facilitators' suggestion that the appropriate focus should be on the configuration of "the State in overseeing" an ideal system for providing employment opportunities to disabled persons. Thus framed, the group identified several options:

1. DRS should develop the standards and administer information management systems for all vocational services; another agency could regulate non-vocational services;
2. DRS and other agencies should enter into a cooperative arrangement, with each agency's role and function delineated in order to avoid duplication and permit general consistency;
3. There should be an evaluation of the agencies which now perform the necessary functions (e.g., research and development, information gathering, evaluation, quality assessment/monitoring, funding, direct service provision, auditing, regulation/development of standards, etc.) and clarification or coordination of roles and functions for a future system (also described as a "meshing" of agencies);
4. One agency should be given the responsibility to oversee all clients with developmental disabilities; the oversight of supported employment should be one sub-responsibility of this agency;
5. DHS should oversee supported employment programs; DRS should provide technical assistance (e.g., job coaches, training, etc.), funding for sheltered workshops, and other related services;
6. Use Virginia model (see packet of information provided by Colleen Wieck);
7. Establish similar, coordinated standards for supported employment services and then all agencies should administer such standards;
8. Establish that DHS will serve clients with one set of needs; DRS will serve clients with another set of needs; Department of Education to serve clients with yet another set of needs.

The members of the Task Force decided that they could not evaluate these options until they had discussed those aspects of an ideal system which would encourage client choice. Therefore, the Task Force went on to address the question of how to encourage and enable clients to exercise choice in supported employment placements. Members of the Task Force offered the following options:

A. Development of client's ability to choose--as child.

1. Secondary schools to provide education in living skills, as well as academics;
2. Integrate children in school at secondary level;
3. Permit children to experience various job opportunities;
4. Continue county case management while a client is in school to insure connection between in-school learning and after-school employment;
5. Permit children to attend and participate in conferences when decisions are being made about services or placement;
6. Provide training and career counseling for parents of clients;
7. In-service training for schools, staff, superintendents, principals, school boards.

B. Development of client's ability to choose--as adult.

1. Provide training to adults; give them a job sampling for a few days--a "rotation"--and allow them to make "mistakes" as part of exercising their right to choose; after rotation, case manager and client to discuss what client liked best;
2. Utilize technical institute system in some way.

C. Development of system that insures that client is given opportunity to choose.

1. For adult clients, counties to reimburse neutral "advocate" who will act on client's behalf or see that client is given choice;
2. Require that clients be asked on a regular basis what they want, at a level which clients understand (e.g., at team meetings or by case manager or VR counselor);

3. Provide for flexible funding which allows the client or case manager to purchase what client wants and needs (see Title I as model);
4. Development of plans to be done by team which includes client, VR counselor, county manager, other interested parties;
5. Insure that appeal by client is available (with involvement of advocacy groups?);
6. Give preference to child/client-parent choice; give counties opportunity for appeal if they do not feel choice is in best interests of child.

D. Development of system that insures that choices exist.

1. Offer incentives to service providers to encourage them to provide different types of services and placements to clients (e.g., financial reward for number of different types of services or placements available or actually provided to clients);
2. Insure accessibility in supported employment through supports like alternative communication training, technology, etc.;
3. Allow client to choose not to enter system if client has found alternatives;
4. Provide for regular agency review of services;
5. Utilize post-secondary educational system to educate professionals on providers' staff, in state agencies, etc.

E. Development of system that insures that client's needs are being met, if client is unable to choose.

1. For adult clients, counties to purchase guardianship services for client, after court determination that a client requires guardianship;

F. Others.

1. Use the Department of Education's case management system as a model (to be discussed at next meeting).

The Task Force adjourned at 3:00 p.m. and will meet next on Thursday, November 5, 1987.

SUMMARY OF NOVEMBER 5, 1987 MEETING
OF
STATE TASK FORCE ON EMPLOYMENT

The State Task Force on Employment held its fourth meeting on Thursday, November 5, 1987. All of the Task Force members except Ed Skarnulis, Molly Woehrlin and Jerry Mueller were in attendance. All sent alternates.

As a result of questions raised at the last Task Force meeting, Carolyn Elliot made a presentation regarding the types of services provided by the Department of Education which are related to supported employment. She also discussed the types of disabilities which are served in the Department of Education programs and the funding for the programs.

After this general presentation, Barbara Troolin and Kim Rezek made a presentation which focused specifically on the Minnesota Interagency Agreement. This Agreement is designed to aid students in making the transition to living and working in the community. The Agreement involves a variety of actors, including technical institutes, community colleges, DHS, Developmental Disabilities, DRS/VR, DRS/State Services for the Blind and the Job Training Partnership Act. An Office of Transition coordinates the various agencies' activities and overall outcomes while community transition committees are being asked to plan, implement and review more individualized transition services. Some Task Force members noted that the Minnesota Interagency Agreement model could be useful in fashioning a system for supported employment.

The Task Force then viewed a short videotape which defined three basic types of supported employment: individual job placements, enclaves and mobile job placements.

Next, in order to begin defining roles in a new supported employment system, the members of the Task Force spent some time addressing both the strengths and limitations of the two major agencies presently involved in supported employment, DRS and DHS. The Task Force members also specified which strengths and limitations are the result of federal laws or actions and which are susceptible to state or county action.

The group identified the following strengths and limitations for DHS:

MA Program--Strengths

1. More money (key actors--federal government, State legislature and counties)
2. Able to serve many clients (key actors--federal government and State legislature)

3. Able to serve very severely disabled (key actors--federal government and State legislature)
4. Flexibility is allowed by waiver (key actors--federal government and State legislature)
5. County case management system allows integrated approach to client needs; attention to variety of services fosters client ability to engage in supported employment (key actor regarding requiring or allowing provision of services--federal government; other key actors--State and counties)
6. Communities are involved in planning and providing services (key actors--federal government, State and counties)
7. Perception as entitlement program; works to the advantage of counties requesting additional monies for services (key actors--federal government, State and counties)
8. DHS is willing to and is working on a funding formula which will allow for a more flexible system to meet client needs (key actor--State legislature)

MA Program--Limitations

1. Unclear whether MA monies are available for supported employment but the providers are being pushed in that direction (key actors--federal government and State agencies)
 2. Two-tiered (MA vs. CSSA) level of funding; clients have access to different types or extent of services depending on funding source (key actor--federal government)
 3. Funding not generally flexible enough to meet clients' needs (key actor regarding approved range of services--federal government; key actor regarding client case mix and funding formula--State legislature)
 4. Funding is facility-based; monies do not follow client (key actor--State but change would require federal approval)
 5. "Clients" limited to individuals who are developmentally disabled and MA-eligible (key actor--federal government)
 6. Change is difficult due to the number of governmental entities/layers involved (key actor--State legislature and counties; also, any change would require federal approval)
 7. Waiver slots are capped (key actors--federal and state governments)
 8. Monitoring needs improvement (key actors--State and counties)
-

9. Funding is historically-based (key actors--State and counties; change would require federal approval)
10. Funding is not outcome-oriented (key actors--State and counties; change would require federal approval)
11. Data base needs improvement (key actors--State and counties)
12. Direction from State not clear (key actor--State)
13. This system less accessible to advocates; avenues for input or appeal not clear (key actors--State and counties)

CSSA Program--Strengths

1. No limits on use of monies in supported employment (e.g., types of clients, services which can be licensed, where clients live) (key actors--State and counties)
2. Case manager promotes more integrated view of client and his/her needs (key actors--State and counties)
3. More county ownership/connection (key actor--counties)
4. Has potential to be client-based (key actors--State and counties)

CSSA Program--Limitations

1. Number of layers of governmental entities--particularly counties--involved (key actors--State legislature and counties)
2. Monies are limited; counties do not levy for additional funds (key actors--State legislature and counties)
3. Program tends not to fund services at rehabilitation facilities at same level as funding for services at DACs (key actor--counties)
4. Monitoring needs improvement (key actors--State and counties)
5. Funding is facility-based (key actors--State and counties)

The group also identified the following strengths and limitations for DRS:

Extended Employment Program--Strengths

1. Experienced vocational services provider (key actor--federal government)

2. Rules have been promulgated for long-term supported employment (key actor--State)
3. M.I.S. in place (key actor--State)
4. Funding is tied to outcomes (key actor--State)
5. Clients not limited to developmentally disabled (key actor--State)
6. Stakeholders determine certification program and standards (key actor--State)

Extended Employment Program--Limitations

1. Cannot use program funds for other vocational rehabilitation programs (e.g., short-term training) (key actor--State)
2. Inadequate funds because historically based on workshop staff ratios which are lower than ratios needed to staff supported employment services (key actor--State)
3. Funding formula complex and untested (key actor--State)
4. Funding formula not individualized to meet client need (key actor--State)
5. Screening tool, Functional Assessment Inventory, designed for more highly functioning clients (key actor--State)
6. Perception and history that program has not generally served more severely disabled clients; some concerns that this perception is not accurate (key actor--State)
7. Lack of local control and input (key actor--State)
8. Narrow focus of services is on work alone (key actor--State)
9. Fewer sites, services less dispersed (key actor--State)
10. More difficult to get funding because program is perceived as discretionary (key actor--State)

Vocational Rehabilitation Program--Strengths

1. Experienced vocational services provider (key actor--federal government)
 2. Rules have been promulgated for long-term supported employment (key actor--federal government)
 3. Management information system is in place (key actor--State)
-

4. Experienced with inter-agency program, OSERS (key actor--State)
5. Funding is flexible; can purchase any service which will allow client to get work (key actors--federal government and State)
6. Program has been coordinated with Extended Employment program to prevent duplication and permit smooth funding of services for clients (key actor--State)
7. Funding not limited to developmentally disabled clients (key actor--federal government)
8. From State administrative perspective, regional system works well (key actor--State with federal approval)
9. Standards and certification process are in place (key actor--State)

Vocational Rehabilitation Program--Limitations

1. Inadequate funding (key actors--federal government and State which provides matching funds)
2. Small program which gets ignored, particularly in terms of funding (key actor--federal government)
3. Perception that program has not served the most severely disabled; some concerns that this perception is not accurate (key actor--State)
4. Lack of local control or input (key actors--State with federal approval)
5. Narrow focus of service is on work alone (key actor--federal government)
6. Short-term funding; cannot be switched to provide extended employment services (key actor--federal government)
7. From provider/client perspective, more difficult to access regional system than county system (key actor--State)

After raising these strengths and limitations, the Task Force began to discuss a cooperative system for the provision of supported employment opportunities to clients. It was agreed that, before the next meeting, the Task Force members will receive a list of the various functions which must be performed in a supported employment system. Based on personal experience and the information which has been shared during these Task Force meetings, each Task Force member will then indicate how s/he thinks each of these functions (or parts of each function) should be allocated among the interested parties or whether new actors

should be involved or created to perform particular functions.

The Task Force adjourned at approximately 3:10 p.m. The next meeting will be Friday, November 20, 1987.

SUMMARY OF NOVEMBER 20, 1987 MEETING
OF
STATE TASK FORCE ON EMPLOYMENT

The State Task Force on Employment held its fifth meeting on Friday, November 20, 1987. All of the Task Force members except Senator Pat Piper, Representative Becky Kelso and Molly Woehrlin (who sent an alternate) were in attendance.

At the beginning of the meeting, the members of the Task Force received two documents which summarized the basic similarities and differences among the supported employment systems of the Department of Rehabilitation Services, the Department of Human Services and the Department of Education. Representatives of each department answered questions regarding the information provided. The Department of Human Services plans to update some of the information it provided, and both the Department of Human Services and the Department of Rehabilitation Services will provide comparative information regarding the levels of disability of their clients who were in supported employment in SFY 1986.

The Task Force then examined the summary of the November 5, 1987 meeting and made the following changes:

- (1) The first item listed under Extended Employment Program--Strengths should read: "Experienced vocational services provider (key actor--State)."
 - (2) The second item listed under Extended Employment Program--Limitations should read: "Inadequate funds because workshop staff ratios are lower than the ratios needed to staff supported employment services (key actor--State)."
 - (3) The sixth item listed under Extended Employment Program--Limitations will be changed to reflect the information which DRS will provide regarding the levels of disability of clients in the Extended Employment Program's supported employment system.
 - (4) The third item listed under Vocational Rehabilitation Program--Limitations will be changed to reflect the information which DRS will provide regarding the levels of disability of clients in the Vocational Rehabilitation Program's supported employment system.
 - (5) The sixth item listed under Vocational Rehabilitation Program--Limitations should read: "Time-limited funding; cannot be switched to provide extended employment services (key actor--federal government)."
-

The members of the Task Force then engaged in extensive discussion regarding the definition of supported employment. First, the Task Force recognized that certain federal program definitions must be accepted in order to maintain federal funding. These definitions are contained in Title 6C of the OSERS program, Title XIX of the Medical Assistance program, the waiver provisions of the Medical Assistance program and Title I of the Vocational Rehabilitation program. (The complete definitions will be listed in the Task Force's final report.) If passed, the Chafee amendment also contains a definition of supported employment.

After recognizing the existence of these federal definitions, the Task Force determined its own definition of supported employment and recommended this definition be used in the discussion and/or development of a supported employment system for the State of Minnesota. The definition is as follows:

Supported employment must include the following elements:

1. The "clients" of supported employment services include any person with disabilities, regardless of the severity of his/her disabilities;
2. A wage is to be received by the client;/1
3. Support is to be provided to the client as long as s/he needs it to retain his/her job;
4. Public funds are to be used to support the client's employment;
5. The client is to be employed at a place other than a segregated facility/service provider (e.g., DAC or sheltered workshop); and
6. The employment is to be integrated except when the nature of the employment precludes the possibility of integration (e.g., night watchman position).

A majority of the members of the Task Force recommended that, except for the the first element which provides for zero-exclusivity, State agencies should be permitted to establish eligibility requirements (e.g., minimal wage, number of hours/week) which are more stringent or restrictive than the elements of the above-described definition. The majority of the Task Force felt that State agencies should be permitted to identify and fund "preferred" supported employment services. It was noted that, without more stringent eligibility requirements than those contained in the Task Force's definition of supported employment, a State agency might be required to fund a supported employment service in which a client receives only one cent per hour and works only one half-hour per week.

However, the element of zero-exclusivity is an important exception to the above-described recommendation, and a majority of the members of the Task Force specifically recommended that no State program for the administration of State funds for supported employment should be permitted to restrict eligibility for supported employment services to those persons who have a certain type or severity level of disability.

A minority of the members of the Task Force felt that no State program for the administration of State funds for supported employment should be permitted to have eligibility requirements which are more stringent or restrictive than any of the elements contained in the Task Force's recommended definition of supported employment. These members of the Task Force supported this position because they felt that it would increase the array of fund-able services and thus increase the ability of the State and providers to provide and fund services which best meet the needs of each individual client.

After this discussion, the members of the Task Force reviewed and clarified the scope of eight additional issues (regarding the point(s) of entry for the client into the supported employment system; the method(s) for determining eligibility; the gatekeeper(s) of state funds; the system(s) of providers; the system(s) for purchasing supported employment services; the accessibility of funding sources to providers; the set(s) of criteria for evaluating supported employment services; and the system(s) for enforcing compliance with evaluation criteria) which they will discuss with their "constituencies" prior to the next meeting.

The next meeting will be held on Thursday, December 17, 1987.

FOOTNOTE

1 This element does not apply to training services and/or services for non-adult clients in school.

REQUIRED FUNCTIONS

1. Direct Service
 - a. Determination of clients capable of supported employment
 - b. Education of clients regarding choice
 - c. Determination of client's choice regarding supported employment
 - d. Training of clients
 - e. Provision of technology and equipment
 - f. Purchasing of supported employment services
 - g. Provision of supported employment services
 - h. Supervision of services
2. Standard Setting
 - a. For clients
 - b. For programs
3. Quality assurance
 - a. Interviewing clients
 - b. Surveying family members/friends
 - c. Collection of quantitative data across programs, statewide
 - d. Monitoring client activities to determine if individual objectives reached
 - e. Selection and review of individual plans to assess adequacy and appropriateness
 - f. Assessment of qualitative aspects of employment
 - g. Knowing and visiting clients/participating in individual plans/monitoring implementation
 - h. Review of plant, etc. for compliance with licensing standards
 - i. Reporting on number of people served and funds expended
 - j. Review of information gathered as a result of functions "a" through "i"
 - k. Providing rewards/sanctions or training or technical assistance based on review
4. Provision of funding
5. Performance of auditing
6. Training of staff
7. Others?

Note: The above-listed functions can be performed by any one of the following entities or a combination of them: DRS, DHS, the Department of Education, the Planning Council on Developmental Disabilities, the counties, DACs, rehabilitation facilities, clients, parents and advocates.

APPENDIX C

TASK FORCE ON SUPPORTED EMPLOYMENT
September 23, 1987

PERSONS NOT CURRENTLY RECEIVING SUPPORTED EMPLOYMENT:
Division of Rehabilitation Services Estimates

1987 WAITING LISTS¹ FOR EXTENDED EMPLOYMENT PROGRAMS

Community-Based Employment	508
Long-Term Employment	291
Work Activity	326
Work Component	<u>201</u>
TOTAL PERSONS WHO CAN BENEFIT FROM SUPPORTED EMPLOYMENT	1,326

PERSONS WITH SEVERE AND PERSISTENT MENTAL ILLNESS²

1986

Persons Served Through Rule 36 Funds	3,359
Persons Served Through Rule 14 Funds	<u>3,198</u>
SUB-TOTAL	6,557*
Average Unemployment Rate Upon Admission: 70%	
TOTAL PERSONS WHO CAN BENEFIT FROM SUPPORTED EMPLOYMENT	4,590

PERSONS WITH TRAUMATIC BRAIN INJURY³

Persons Under Age 65 With Head Trauma	301
Persons Under Age 65 With Brain Impairment	<u>547</u>
SUB-TOTAL	848
TOTAL PERSONS WHO CAN BENEFIT FROM SUPPORTED EMPLOYMENT	424

TOTAL ESTIMATE OF PERSONS WHO CAN BENEFIT FROM SUPPORTED EMPLOYMENT 6,340

* There may be duplicate counting here, but sub-total is an under-estimate.

¹ Long-Term Sheltered Workshop Extended Employment Program Survey; June, 1987. Prepared by the Division of Rehabilitation Services, Minnesota Department of Jobs and Training.

² Report to the Legislature, Rules 14, 12 and 36 for Adult Persons with Mental Illness; January, 1987. Prepared by the Mental Health Division, Minnesota Department of Human Services.

³ Narrative for the Data Collected on Home and Community-Based Social Service Needs of Brain Impaired Adults; February, 1987. Prepared by the Department of Human Services.

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TASK FORCE ON SUPPORTED EMPLOYMENT
September 23, 1987

Division of Rehabilitation Services Estimates
(Page Two)

PARTICIPANT COUNT - EXTENDED EMPLOYMENT PROGRAM - STATE FISCAL YEAR 1987

<u>Participant Status</u>	<u>Participant Count</u>	<u>Percent of Unduplicated Count</u>	<u>Cumulative Percent</u>
CBE Only	1,259	16.88%	16.88%
CBE and LTE	934	12.53%	29.41%
CBE and WAC	207	2.78%	32.18%
CBE amd WC	245	3.29%	35.47%
CBE, LTE and WAC	41	.55%	36.02%
CBE, LTE and WC	6	.08%	36.10%
CBE, WAC and WC	25	.34%	36.44%
LTE only	2,043	27.40%	63.83%
LTE and WAC	138	1.85%	65.68%
LTE and WC	13	.17%	65.86%
LTE, WAC and WC	11	.15%	66.01%
WAC only	1,318	17.67%	83.68%
WAC and WC	21	.28%	83.96%
WC only	1,196	16.04%	100.00%
Unduplicated Count	7,457		

COUNT BY PROGRAM

<u>Program</u>	<u>Number of Participants</u>	<u>Percent Unduplicated</u>
Community-Based Employment (CBE)	2,717	36.44%
Long-Term Employment (LTE)	3,186	42.72%
Work Activity (WAC)	1,761	23.62%
Work Component (WC)	1,517	20.34%
TOTAL	9,181	123.12%

TASK FORCE ON SUPPORTED EMPLOYMENT
September 23, 1987

PERSONS NOT CURRENTLY RECEIVING SUPPORTED EMPLOYMENT:
Department of Education/Special Education Unit "Transition from School to Work" Estimates

SPECIAL EDUCATION UNDUPLICATED CHILD COUNT LEVELS IV, V AND VI¹
December 1, 1987

Age	PRIMARY DISABILITY										TOTAL
	LEARNABLE MENTALLY RETAARDED	TRAINABLE MENTALLY RETAARDED	PHYSICALLY HANDI- CAPPED	HEARING IMPAIRED	VISUALLY IMPAIRED	LEARNING DISABLED	EMOTIONALLY DISTURBED	DEAF AND BLIND	HEALTH- IMPAIRED	OTHER AUTISTIC	
15-17	1,029	809	46	58	6	717	1,553	0	36	21	4,275
18-21	316	816	24	16	3	137	170	4	3	13	1,502
TOTAL	1,345	1,625	70	74	9	854	1,723	4	39	34	5,777

TOTAL PERSONS OF TRANSITION AGE WHO ARE NOT YET RECEIVING ADULT EMPLOYMENT SERVICES AND WHO COULD BENEFIT FROM SUPPORTED EMPLOYMENT: 5,777

TOTAL PERSONS AGES 15 TO 21, LEVELS I THROUGH VI - ALL DISABILITIES LISTED ABOVE PLUS SPEECH HANDICAPPED: 19,332

TOTAL PERSONS ALL AGES, LEVELS I THROUGH VI - ALL DISABILITIES LISTED ABOVE PLUS SPEECH HANDICAPPED: 82,728

¹ Source: Minnesota Department of Education, 1986.

TASK FORCE ON SUPPORTED EMPLOYMENT
September 23, 1987

Department of Human Services

*UNDUPLICATED RESIDENT COUNT - REGIONAL TREATMENT CENTERS¹ - AUGUST 1987

<u>Primary Diagnosis</u>	<u>Participant Count</u>
Developmental Disabilities	1,608
Severe and Persistent Mental Illness	1,320 ²

**PARTICIPANT COUNT - DEVELOPMENTAL ACHIEVEMENT CENTERS³
STATE CALENDAR YEAR 1985

	<u>Number of Participants</u>
Average Daily Attendance/Unduplicated	4,095
People Participating In In-House Work Component	3,340
People Participating in CBE/SE	1,118

* There is no waiting list for admission to Regional Treatment Centers.

** Waiting list data for DAC services is currently unavailable.

¹ Monthly Population Report, Department of Human Services; August 1987.

² Includes residents of Minnesota Learning Center, Brainerd; Minnesota Security Hospital, St. Peter; Protection Environment Unit, Willmar.

³ 1985 Survey of Training and Habilitation Agencies; Minnesota Department of Human Services.

EB:ams

APPENDIX D

GOVERNOR'S PLANNING COUNCIL
ON DEVELOPMENTAL DISABILITIES
Minnesota State Planning Agency

300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
(612) 296-4018 (Voice)
(612) 296-9962 (Voice and TDD)

November 3, 1987

TO: Members of Legislative Task Force

FM: Colleen Wieck *Colleen*

RE: Summary of NASMRPD Report

At the last meeting of the Task Force, copies of a report entitled Supported Employment: Federal Policies and State Activities Related to Integrated Work Opportunities for Persons With Developmental Disabilities was distributed.

In case the Task Force members have not had time to review this document, the following highlights may be helpful.

Page 4--Locus of Organizational Responsibility

"No one agency at the state or federal level is in a position to unilaterally initiate supported employment programs . . ."

RSA has a clear mandate to sponsor supported employment. Medicaid and SSI entitlements must be coordinated with employment programs. There must be a linkage between vocational services and continuing support services necessary to sustain employment.

The importance of cross agency collaboration is underscored by the number of states that have established interagency task forces and committees.

MERGER

Page 46-Alaska

There have been discussions of merging the VR and DD Divisions. The difference in groups of people served by VR and DD prohibit a merger.

No other states mentioned merger of VR and DD Divisions.

LEAD AGENCY

Page 49-California

In 1978 all responsibility for work programs was transferred to the Department of Rehabilitation.

With changes in the waiver and growing interest in supported employment, the DD Division is initiating a long term plan that may propose a dual system--Rehab serving individuals with mild handicaps and DD serving individuals with severe disabilities.

FUNDING PRIORITIES

Page 50-Colorado

The DD Division set aside 20% of new funding for supported employment projects. By January 1988, 25% of all adults served will be in supported employment.

Page 52-Connecticut

None of the 1986 funds were used to expand sheltered workshops or work activity centers. One-half of the new funds were earmarked for supported employment.

Page 53-Georgia

Funds are being redirected from day centers to supported employment. Centers are expected to convert and close. Funding for conversions will be a line item in the budget.

Page 57-Illinois

Twenty nine agencies received VR funds to provide supported employment services.

Page 59-Iowa

Iowa passed a Bill of Rights that is regarded as an entitlement program to employment for people with developmental disabilities and mental illness. Expansion of supported employment is a priority area for funding.

Page 65-Michigan

All expansion dollars go toward supported employment. Within 10 years, all providers will be converted. The two state agencies will cooperate to achieve the conversion.

MEMO--November 3, 1987
To Legislative Task Force
Page 3

Page 68-Mississippi

Each center will place one to two per cent of its clients in supported employment in order to be funded in the following year.

Page 74-New York

At least 1/4 of the expanded day services funding is targeted for supported employment.

Page 76-78-Ohio

Funding is targeted for demonstration grants, expansion of services, and increased funding for case management.

ESTABLISH A NEW CORPORATION

Page 51-Colorado

Several state agencies fund the Rocky Mountain Resource Training Institute to serve as a focal point for technical assistance in supported employment.

Page 52-Connecticut

A Corporation for Supported Employment was created to assist workshops to convert to supported employment, to help establish new providers, and to work with private employers. The Corporation includes state agencies, providers, and private businesses.

Page 64-Massachusetts

The Legislature funds the Bay State Skills Corporation, a quasi-public corporation as a line item in the state's economic development department. The Corporation provides employment programs for persons who are mentally retarded.

Page 88, 89-Wisconsin

DD Division and VR have worked to create the Wisconsin Community Development Finance Authority, a quasi-public agency with authority to create profit making businesses.

COOPERATION

Page 42-Arizona

VR funds are used for time-limited training services and DD funds are used for supported employment services and follow-up. Entry is through VR and closure occurs when training is completed.

Page 58-Indiana

By Executive Order, the Governor established a Policy Steering Committee on Supported Employment. There is discussion about joint funding requests to the General Assembly.

Page 61-Kentucky

A state supported employment council has been established to review policies, statutes, and regulations to transform current programs to supported employment.

Page 63-Maryland

The DD Division and VR will cooperate in converting current system to integrated employment.

Page 78-Oregon

The DD Division and VR received a special appropriation to provide supported employment services. VR provides initial training, DD arranges job placements and covers support costs.

Page 85-Virginia

The DD Division and VR will collaborate over the next five years to convert 50 sheltered workshops and day services to supported employment.

Minnesota does _____
does not X do this
level of review on a
statewide, system-
wide basis.

LEVEL 1: INDIVIDUAL INTERVIEWS

1. Nature: Every individual with a disability (capable of interaction) is interviewed about satisfaction.
 2. Purpose: The most important source of information about satisfaction are the people who are served by the system.
 3. Questions:
 - I like
 - I dislike
 - I need
 - I want
- There are several scales written for consumers to assess whether they like their work/living environments.
4. Frequency: At least once a year.
 5. Performed by: Independent third party, friend, relative, or other person.
 6. Reliability: Unknown.
 7. Cost: \$250 per person for Levels 1-3 according to Temple University.
 8. Who would review the information gathered from these interviews:
 9. How often would this information be reviewed:
 10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):
-

Minnesota does ____
does not X do this
level of review on a
statewide, system-
wide basis.

LEVEL 2: FAMILY SURVEYS

1. Nature: The "most significant family" member or friend is surveyed about the satisfaction of the person with a disability.
2. Purpose: Assess family satisfaction, concerns, and anecdotal "good" news from families to be included in the reviews process.
3. Questions: Mail survey, single sheet of paper that can be completed in five minutes.
4. Frequency: At least once a year.
5. Performed by: Independent third party.
6. Reliability: Unknown.
7. Cost: \$250 per person for Levels 1-3 according to Temple University.
8. Who would review the information gathered from these interviews:

9. How often would this information be reviewed:

10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

Minnesota does ___
does not X do this
level of review on a
statewide, system-
wide basis.

LEVEL 3: INDIVIDUAL OUTCOMES MONITORING

1. Nature: Data are collected for every individual with a disability using a standardized instrument.
2. Purpose: Provide quantitative information that can be aggregated across programs, regions, or statewide to determine how people are doing.
3. Questions: Include measures such as:
 - Integration;
 - Independence;
 - Productivity;
 - Choice/Decision Making.
4. Frequency: At least two to four times a year.
5. Performed by: Mail survey for some items. Interviews by independent third parties for other items.
6. Reliability: Unknown.
7. Cost: \$250 per person for Levels 1-3 according to Temple University.
8. Who would review the information gathered from these interviews:
9. How often would this information be reviewed:
10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

Minnesota does X
does not ___ do this
level of review on a
statewide, system-
wide basis.

LEVEL 4: INDIVIDUAL PLAN MONITORING

1. Nature: Every individual with a disability has an individual plan which lists goals, objectives, and activities to be achieved. The plan has several different names.
2. Purpose: To determine if the goals and objectives of the individual plan are achieved.
3. Questions: Is the plan appropriate given the assessment information and the individual's preferences, choices, needs, and wants?

Are the objectives age-appropriate? Functional? Community oriented?
4. Frequency: At least two to four times a year.
5. Performed by: Case manager and team
6. Reliability: Unknown.
7. Cost: Unknown.
8. Who would review the information gathered from these interviews:
9. How often would this information be reviewed:
10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

Minnesota does ___
does not X do this
level of review on a
statewide, system-
wide basis.

LEVEL 5: INDEPENDENT INDIVIDUAL PLAN REVIEW

1. Nature: A sample of individual plans is selected and reviewed by an outside content expert.
2. Purpose: To assess adequacy and appropriateness of plans particularly for people with very special needs (behavior problems, physical handicaps).
3. Questions: In-depth questions are used to professionally evaluate the assessments, planning, and implementation of the individual plan. Extensive analysis of data occurs, particularly for people with behavior problems. The reviews can take 1 to 2 days per person including observation and interview time. The criteria tend to be "state of the art."
4. Frequency: As needed or warranted.
5. Performed by: Professional outside consultant.
6. Reliability: Unknown.
7. Cost: Honoraria.
8. Who would review the information gathered from these interviews:
9. How often would this information be reviewed:
10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

Minnesota does ___
does not X do this
level of review on a
statewide, system-
wide basis.

LEVEL 6: VOLUNTEER MONITORING

1. Nature: Volunteers (parents, siblings, advocates, citizens) are trained to evaluate the qualitative aspects of the employment setting.
2. Purpose: Volunteer monitors do not assess program plans, compliance with rules or standards. Volunteer monitors assess qualitative aspects--appearance, atmosphere, sensitivity to individuals with disabilities.
3. Questions: Open-ended survey questions are used to allow subjective assessments.
4. Frequency: Once a month.
5. Performed by: Trained volunteers.
6. Reliability: Unknown.
7. Cost: Unknown.
8. Who would review the information gathered from these interviews:
9. How often would this information be reviewed:
10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

Minnesota does X
does not ___ do this
level of review on a
statewide, system-
wide basis.

LEVEL 7: CASE MANAGEMENT

1. Nature: Case managers know the individuals with disabilities, visit the individuals, design with the team an individual plan, and monitor implementation of the plan.
2. Purpose: Case managers perform several quality assurance functions. Their ability to carry out their job depends on the ratios, time available, and their clout.
3. Questions: A full range of questions can be posed by case managers.
4. Frequency: Once a year.
5. Performed by: Case managers.
6. Reliability: Unknown.
7. Cost:
8. Who would review the information gathered from these interviews:
9. How often would this information be reviewed:
10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

Minnesota does X
does not ___ do this
level of review on a
statewide, system-
wide basis.

LEVEL 8: ACDD, CARF, AND ICF-MR STANDARDS

1. Nature: National standards developed to assess safety, management practices, physical plant, policies, and procedures.
2. Purpose: Service settings should meet basic requirements of health, safety, and programming practices.

For example, the ICF-MR standards are concerned with active treatment and the range of health or habilitative services needed by the resident.
3. Questions: For example, the ICF-MR survey is very detailed and covers: (a) administrative policies and procedures, (b) admission and release practices, (c) resident living, (d) professional services, (e) records, (f) safety and sanitation, and (g) administration.
4. Frequency: CARF and ACDD--once every three years.
ICF-MR--once a year.
5. Performed by: CARF and ACDD--reviewers from outside the state. ICF-MR--state employees.
6. Reliability: Not tested for reliability.
7. Cost:
8. Who would review the information gathered from these interviews:
9. How often would this information be reviewed:
10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

Minnesota does X
does not ___ do this
level of review on a
statewide, system-
wide basis.

LEVEL 9: STATE LICENSING

1. Nature: The state has its own standards for services and programs to assure minimum health and safety.
2. Purpose: To review physical plant, policies, and procedures.
3. Questions:
4. Frequency: Once a year.
5. Performed by: State employees.
6. Reliability: Unknown.
7. Cost:
8. Who would review the information gathered from these interviews:
9. How often would this information be reviewed:
10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

Minnesota does ___
does not X do this
level of review on a
statewide, system-
wide basis.

LEVEL 10: STATE PLAN MONITORING

1. Nature: To collect information about the progress made on state goals and objectives.
2. Purpose: To report on number of people served and funds expended.
3. Questions: Were the objectives achieved?
4. Frequency: Once a year.
5. Performed by: State employees.
6. Reliability: Unknown.
7. Cost:
8. Who would review the information gathered from these interviews:
9. How often would this information be reviewed:
10. What happens to this integrated information (rewards, sanctions, or training, technical assistance provided):

TABLE 1

TYPE OF STANDARDS (INPUT, PROCESS, OUTCOME)
ASSESSED BY EACH LEVEL OF QUALITY ASSURANCE

<u>LEVELS</u>	<u>INPUT</u>	<u>PROCESS</u>	<u>OUTCOMES</u>
1. Individual Interviews			X
2. Family Surveys			X
3. Individual Outcomes Monitoring			X
4. Individual Plan Monitoring		X	X
5. Independent Individual Plan Review		X	X
6. Volunteer Monitoring		X	
7. Case Management		X	
8. ACDD/ICF-MR Standards	X	X	
9. State Licensing	X		
10. State Plan Monitoring	X		

APPENDIX F

COMPARISON OF SUPPORTED EMPLOYMENT FUNDED BY DHS, DRS AND DEPT. OF EDUCATION/1

QUESTION 1: FOR SFY 1986, WHAT TYPES AND NUMBERS OF CLIENTS WERE SERVED BY THE SUPPORTED EMPLOYMENT YOUR DEPARTMENT FUNDS? (PLEASE INDICATE CLIENTS' TYPES OF DISABILITY AND NUMBER OF CLIENTS PER DISABILITY; ALSO, IF NECESSARY, SEPARATE YOUR ANSWERS BY PROGRAM.)

DHS

Persons with mental retardation or related conditions served in the residential service system include the following:

SERVICE	1987	1988 (EST.)
ICF/MR certified beds (incl. RTCs)	7022	6600
Waiver Program	975	1565
Family Subsidy	245	370
SILS Program	<u>888</u>	<u>1077</u>
TOTAL	9130	9612

Of the total number of persons in residential services approximately 6500 adults receive day training and habilitation services from licensed vendors (includes day services provided by regional treatment centers [RTCs]). Of the 4800+ adults receiving community based (non-RTC) day services, 50% have IQs below 35 and 55% have one or more severe disabilities in addition to mental retardation. Fifteen percent display severely challenging behaviors. Of the 4800+ adults receiving community based (non-RTC) services, 1500+ receive some community based work/employment as part of their ongoing day training and habilitation. The qualitative measures (i.e., hours worked per client, wage earned, level of integration) that distinguish employment situations vary greatly among persons receiving community based employment experiences.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

<u>DISABILITY</u>	<u>NUMBER</u>	<u>PERCENT</u>
Autism	0	0.0%
Chemical Dependency	10	2.2%
Cerebral Palsy	1	.2%
Learning Disability	0	0.0%
Mental Illness	92	20.6%
Mental Retardation	220	49.4%
Other	122	27.4%
None Given	0	0.0%

Supported Employment Training 445

Extended Employment Program-Community Based Employment

<u>DISABILITY</u>	<u>NUMBER</u>	<u>PERCENT</u>
Autism	5	.2%
Chemical Dependency	21	.8%
Cerebral Palsy	43	1.6%
Learning Disability	49	1.8%
Mental Illness	518	19.1%
Mental Retardation	1,424	52.4%
Other	468	17.2%
None Given	189	6.9%

Community Based Employment 2,717

EDUCATION

- Approximately 2600 in Work Experience/ Handicapped Program (Work Experience for Students Labeled Handicapped or "WEH").
- All disabilities.
- About 1/4 (approximately 600+) have "tech tutors" that serve as job coaches.

QUESTION 2: DO FEDERAL STATUTES OR REGULATIONS GOVERN WHICH CLIENTS ARE SERVED BY THE SUPPORTED EMPLOYMENT THAT YOUR DEPARTMENT FUNDS? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

ICF/MR regulations (42 CFR 442.463) in combination with Minnesota's State MA Plan require that MA funds be available to eligible persons with mental retardation or related conditions for the services determined and documented as needed in individual service plans in accordance with those services reimbursable with MA funds. Day habilitation (which includes prevocational services for ICF/MR clients and supported employment for waived services clients) is a required ICF/MR service (see CFR). The authority to include supported employment services as MA reimbursable services under the waiver is found in PL 94-272, section 9502(a) (Omnibus Reconciliation Act of 1986). The criteria of eligibility for supported employment services for waived services clients is spelled out in the attached interagency agreement between DHS and DRS which will be submitted to the federal government as part of the MA State Plan. General eligibility for supported employment services (as a day training and habilitation service) is stated in Minnesota Rules, Parts 9525.1500 - 9525.1690 governing licensure of service and Parts 9525.0015 to 9525.1690 governing county case management for persons with mental retardation or related conditions. Eligibility for the service is based on whether: 1) the person is an adult with mental retardation or a related condition; 2) the person's assessed needs include the need for the service and expected outcome of the service; 3) services are unavailable from DRS/VR and 4) the local educational agency is not statutorily responsible for delivering the service.

State rules governing case management and service authorization (Parts 9525.0015 to 9525.0165) and licensure of day training and habilitation services (Parts 9525.1500 to 9525.1690) and Minnesota Statutes, Sections 252.40 - 252.45 require that employment services (as defined in Rule) be available from licensed day training and habilitation agencies and be provided in accordance with the ISP/IHP required for all persons with mental retardation or related conditions receiving the services.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Yes, U.S. Department of Education, Office of Special Education and Rehabilitation Services - 34 CFR, Part 361 and 363 and under M.S. 129A.

Extended Employment Program-Community Based Employment

Yes, M.S. 129A Extended Employment Program.

EDUCATION

94:142: Documented need through IEP

Carl Perkins: "Handicapped" and in need

M.S. 120.17: By grade 9, IEP will address needs for transition from Sec. Services to post-secondary education and training, employment and community living.

QUESTION 3: HOW DO CLIENTS ENTER THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT?

DHS

Through a day training and habilitation services agency; may be coordinated with DRS/VR and must be authorized by a county case manager in accordance with an ISP/IHP.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

See attached chart.

Extended Employment Program-Community Based Employment

See attached chart.

EDUCATION

Teams (or individuals) make referrals to Work Experience Coordinator (178) or Vocational Director (200). If there are few vocational offerings in a district, a vocational director is often a principal, superintendent, etc.

QUESTION 4: DO FEDERAL STATUTES OR REGULATIONS GOVERN HOW CLIENTS ENTER THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

State regulation requires assessment of need for the service and authorization for service

delivery by the case manager (Minnesota Rules, Parts 9525.0015 to 9525.0165 and 9525.1500 to 9525.1690).

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Yes, 34 CFR 361 and 363

Extended Employment Program-Community Based Employment

Yes, MCAR 3300

EDUCATION

Voc. Ed.:

1. Eligible for special education and
2. Need assistance/services and vocational area.

(Carl Perkins and M.S. _____)

QUESTION 5: DO YOU TRACK THE NUMBER OF CLIENTS THAT ENTER THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT? IF SO, HOW?

DHS

The Department checks a myriad of residential and support services delivered to persons with mental retardation or related conditions. This checking is tied to the MA payment system and CSSA reporting system. Persons receiving waived services also have a screening document completed describing client characteristics and needed and provided services. Until recently (Laws of Minnesota, 1987) there was no mandate for day training and habilitation vendors to make supported employment services available in accordance with individual need; therefore, the Department has very little data with respect to the subset of services provided by day training and habilitation vendors. In 1986, the Department combined forces with the OSERS project and the DD Planning Council to combine our data needs regarding the specifics of service delivery and aggregate financial/programmatic concerns. The results of that survey are our first attempt to understand the nature of services and clients receiving supported employment. As a result of the changing laws, licensure requirements and soon-to-be-changing rate-setting methodology, further tracking and delineation of day training and habilitation service delivery will necessarily occur.

Also, it is important to note that the definitions of supported employment adopted in state statute and rule and accepted by the Health Care Financing Administration for purposes of the waiver have several basic elements (paid a wage; located in a community business; opportunities for interaction with nondisabled peers, requirement for ongoing support to obtain and maintain employment) but do not require a certain wage level or hours of employment per week. OSERS criteria and DRS/VR may require that certain quantitative levels occur in these areas in order to fund the service.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Yes, data is collected on each individual in Supported Employment training.

Extended Employment Program-Community Based Employment

Yes, data is collected on each individual in Community Based Employment.

EDUCATION

Voc. Ed. does not track students in WEH.

QUESTION 6: IN SFY 1986, HOW MANY CLIENTS ENTERED THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT?

DHS

The data prior to 1986 has not been collected. Beginning in 1986, data on persons receiving services in day training and habilitative centers was collected on an individual by individual basis. The nature of supported employment services to persons in day training and habilitative centers is that most work is seasonal, or of short duration, and given this turnover in job opportunities, many persons may have been in new employment possibilities this year. Only a small fraction of persons in supported employment in SFY 1986 had also been in supported employment in SFY 1985.

DRS/2

Vocational Rehabilitation-Time Limited Supported Employment

Data was not collected prior to FY 1987; data is not available for Vocational Rehabilitation at this time.

Extended Employment Program-Community Based Employment

1,475

EDUCATION

Approximately 2600 in WEH (includes assessment, skills training, exploration, job placement); approximately 600 with tech tutors or job coaches.

QUESTION 7: WHAT IS THE GOAL OF THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT?

DHS

Provide integrated, age-appropriate socially-valued activities for adults. Preferred outcomes include increased wages, job opportunities, job advancement, fringe benefits, productivity, increased independence in job and related skill areas, increased interactions, friendships with non-disabled co-workers.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

To enable persons with disabilities to secure and retain suitable employment and thereby to further such person's integration or reintegration into society.

Extended Employment Program-Community Based Employment

To maximize the vocational potential of individuals with disabilities by providing appropriate paid work through establishing the most enabling environment.

EDUCATION

- Job and job training
- Career awareness
- Career exploration
- Skills training
- Employment/placement

QUESTION 8: DO FEDERAL STATUTES OR REGULATIONS ESTABLISH THIS GOAL? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

Minnesota Statutes, Section 252.41; Minnesota Rules, Parts 9525.1500 to 9525.1690 and Parts 9525.0015 to 9525.0165; Developmental Disabilities Assistance and Bill of Rights Act of 1984 (generally).

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Public Law 99-506, Title 6C, 34 CFR 361 and 363.

Extended Employment Program-Community Based Employment

Yes, MS 129A.

EDUCATION

Voc Ed statute(s) establish goals of career exploration, preparation for post-secondary experience, and development of job entry level skills.

QUESTION 9: HOW DO YOU MEASURE WHETHER OR NOT THE GOAL IDENTIFIED IN YOUR RESPONSE TO QUESTION 7 HAS BEEN ACHIEVED?

DHS

County monitoring of individual service plans. Annual relicensure requires the vendor to list client outcomes in four or five measured areas (including integration and wage).

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Individual client data and the financial information systems are tracked to determine whether outcomes meet the definition of supported employment. The new Title 6C program will follow a similar methodology.

Extended Employment Program-Community Based Employment

Each Extended Employment program is audited to determine whether it has achieved the number of full time equivalents (clients served and hours of work provided) established in its contract. The annual audit also examines program performance measures in relation to standards established in state rules.

EDUCATION

Each district has a vocational education ("voc ed") program evaluation every five years. Some districts participate in follow-up of vocational students. There are discretionary follow-up studies of students that received special education. There is discretionary use of the "State IEP".

QUESTION 10: DO FEDERAL STATUTES OR REGULATIONS ESTABLISH THE MEASUREMENT TOOL OR TECHNIQUE IDENTIFIED IN YOUR RESPONSE TO QUESTION 9? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

No federal statutes govern. State Rules 38 (regarding licensing of service) and 185 (regarding case management and outcomes which vendors are required to report to the county quarterly) do apply.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

No.

Extended Employment Program-Community Based Employment

Yes, MCAR 3300.2350.

EDUCATION

Up to state agency.

QUESTION 11: DO YOU TRACK THE NUMBER OF CLIENTS THAT EXIT THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT? IF SO, HOW?

DHS

Beginning in 1986, persons were tracked through the supported employment system on an individual basis. This tracking system asks the reasons for a person leaving supported employment during that year. This information provides a basis for establishing the limits and barriers to supported employment and a basis for tracking persons as they progress through the supported employment system.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Yes, data is collected for each individual.

Extended Employment Program-Community Based Employment

Yes, data is collected for each individual.

EDUCATION

No. There is some minimal data collection on students in voc. ed. (e.g., male or female; duplicated count of students in 5 to 7 services [approximately 10,000])

QUESTION 12: IN SFY 1986, HOW MANY CLIENTS EXITED THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT?

DHS/3

Of the total persons working in supported employment in SFY 1986, 24.2 percent of them discontinued their employment due to a variety of reasons. The 24.2 percent represents a total of 268 persons.

DRS/3

Vocational Rehabilitation-Time Limited Supported Employment

155 clients.

Extended Employment Program-Community Based Employment

889 clients.

EDUCATION

Do not know.

QUESTION 13: FOR THE CLIENTS IDENTIFIED IN YOUR RESPONSE TO QUESTION 12, PLEASE IDENTIFY THE SETTINGS TO WHICH THE CLIENTS EXITED AND THE NUMBER OF CLIENTS WHO EXITED TO EACH TYPE OF SETTING.

DHS

The majority of persons who discontinued supported employment or a supported employment position, continued to receive services in the day training and habitative centers. Of the 268 persons who discontinued supported employment in SFY 1986, 248 or 92.5 percent continued to receive services in the day training and habitative center. The remaining twenty persons were separated as follows: nine moved into competitive employment and eleven moved into other work programs such as sheltered workshops.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Closures to Supported Employment - 155.

Extended Employment Program-Community Based Employment

<u>SETTING</u>	<u>NUMBER</u>	<u>PERCENT</u>
Competitive Employment	303	34.1%
Long Term Employment	172	19.3%
Work Activity	49	5.5%
Work Component	30	3.4%
Transferred to Another Program	20	2.2%
Moved	32	3.6%
Retired	10	1.1%
Quit	132	14.8%
Unemployed-Medical Condition	25	2.8%
Institutionalized	8	.9%
Deceased	9	1.0%
Other	96	10.8%
<u>Not Known</u>	<u>2</u>	<u>.3%</u>
Total	889	100.0%

EDUCATION

Do not know.

QUESTION 14: WHAT CRITERIA ARE USED TO DETERMINE WHETHER A CLIENT WILL EXIT THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT?

DHS

Client decision and case management decision OR identified client specific performance indicates no more support or long term service is needed.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

When the client meets the objectives of their Individualized Written Rehabilitation Plan and supported employment is an appropriate placement the client leaves the Vocational Rehabilitation program and enters a long term supported employment program.

Extended Employment Program-Community Based Employment

A decision is reached with the participation of client, provider and other service professionals based on the individual's rehabilitation plan and interests.

EDUCATION

Do not know.

ISSUE 15: DO FEDERAL STATUTES OR REGULATIONS ESTABLISH THE CRITERIA USED TO DETERMINE WHETHER A CLIENT WILL EXIT SUPPORTED EMPLOYMENT? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

No.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Yes, 34 CFR 361.43, 361.40, 363.7, 363.11.

Extended Employment Program-Community Based Employment

No.

EDUCATION

No.

QUESTION 16: FOR SFY 1986, ON AVERAGE, HOW MANY HOURS PER WEEK DID CLIENTS SPEND IN THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT? (PLEASE INDICATE NUMBER OF CLIENTS THAT FALL WITHIN EACH RANGE.)

DHS/4

<u>HOURS</u>	<u>NUMBER</u>	<u>PERCENT</u>
0 to 4 hours	679	(61.6%)
5 to 9 hours	214	(19.4%)
10 to 19 hours	137	(12.4%)
20 to 30 hours	63	(5.7%)
30 or more hours	9	(0.8%)
TOTAL	1102	

DRS/4

Vocational Rehabilitation-Time Limited Supported Employment

<u>HOURS</u>	<u>NUMBER</u>	<u>PERCENT</u>
0 to 4 hours	8	(5.2%)
5 to 9 hours	5	(3.2%)
10 to 19 hours	38	(24.5%)
20 to 30 hours	54	(34.8%)
30 or more hours	50	(32.3%)
TOTAL	155	

Extended Employment Program-Community Based Employment

<u>HOURS</u>	<u>NUMBER</u>	<u>PERCENT</u>
0 to 4 hours	233	(8.6%)
5 to 9 hours	214	(7.8%)
10 to 19 hours	706	(26.0%)
20 to 30 hours	750	(27.6%)
30 or more hours	814	(30.0%)
TOTAL	2717	

EDUCATION

Students average between 5 and 10 hours per week in the WEH program.

QUESTION 17: FOR SFY 1986, WHAT WAS THE AVERAGE HOURLY WAGE OF CLIENTS IN SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT?

DHS/5

\$1.99 per hour.

DRS/5

Vocational Rehabilitation-Time Limited Supported Employment

\$3.37 per hour.

Extended Employment Program-Community Based Employment

\$3.15 per hour.

EDUCATION

Wages range from unpaid to subminimum wage (request certif. from Department of Labor) to minimum to more than minimum wage. There is no "average" available from voc. ed. Wages also are subsidized by Job Training Partnership Act ("JTPA") funds.

QUESTION 18: DO FEDERAL STATUTES OR REGULATIONS ESTABLISH A MINIMUM HOURLY WAGE FOR CLIENTS IN THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

Federal wage and hour statutes apply.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Fair Labor Standards Act, 29 CFR, Parts 554 and 525.

Extended Employment Program-Community Based Employment

Fair Labor Standards Act, 29 CFR, Parts 554 and 525, requires that commensurate wages be paid. Wages paid below minimum wage require a federal certificate.

EDUCATION

Federal wage and hour statutes apply. State statutes allow sub-minimum wage certificates for students with disabilities. Otherwise, students earn minimum wage.

QUESTION 19: FOR SFY 1986, WHAT PERSONNEL OR FRINGE BENEFITS WERE PROVIDED TO CLIENTS IN THE SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT?

DHS

Little information is known in this area. Typically, given the nature of supported employment contracts with individuals or day training and habilitative centers, no fringe benefits are negotiated into the contract so as to allow persons or businesses offering the contract the lowest cost for their contract. Only on rare occasions do persons receive benefits; this is a function of the cost of benefits and the number of hours worked.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Not applicable.

Extended Employment Program-Community Based Employment

Facility expenditures on benefits for CBE participants is estimated from workshop financial reports for SFY 1987 to be \$88,135. See Question 20 for benefits provided.

EDUCATION

Benefits vary with the job. Since all jobs are part-time, benefits would be minimal. Other sorts of benefits come with these jobs (e.g., work over school vacations, over summer, possibility of being hired full-time after graduation, etc.)

QUESTION 20: DO FEDERAL STATUTES OR REGULATIONS REQUIRE THAT PERSONNEL OR FRINGE BENEFITS BE PROVIDED? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

No.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Benefits as required by state and federal law.

Extended Employment Program-Community Based Employment

Chapter 129A - All CBE participants must receive benefits as provided by state and federal law. All CBE participants in combined programming with Long Term Employment additionally must receive vacation, holiday, sick leave, maternity leave, voting time, jury duty leave, military leave and overtime; and those in combined programming with Work Activity must receive no less than five days holiday, vacation and sick leave pro-rated.

EDUCATION

No.

QUESTION 21: FOR SFY 1986, ON AVERAGE, WHERE DID CLIENTS SPEND THE REMAINDER OF THEIR WORK DAYS, AFTER THEY COMPLETED THE SUPPORTED EMPLOYMENT SEGMENT OF THEIR DAYS?

DHS

Typically, most persons in day training and habilitative centers receive services at the center as their primary source of services. Again, given the nature of supported employment for

persons from these centers, i.e., small number of hours per week, most persons receive the bulk of their service time at the center where they receive services as outlined in their individual service plans.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Not available.

Extended Employment Program-Community Based Employment

In addition to work, 88,921 service hours in Community Based Employment were provided in SFY 1987. Also, many CBE participants participated in facility based extended employment programming.

EDUCATION

Educational programs: school or community.

QUESTION 22: WHAT PERCENTAGE OF YOUR SUPPORTED EMPLOYMENT CLIENTS ARE EMPLOYEES OF A BUSINESS? WHAT PERCENTAGE ARE EMPLOYEES OF A FACILITY (E.G., FACILITY HAS CONTRACT WITH BUSINESS)?

DHS/6

The number of supported employment jobs slightly exceeds the number of persons in supported employment and, as a whole, the percentage of persons who are employees of a business, as measured by who issues the paycheck, is 48.3 percent. The remaining persons are paid through contractual agreement with a business and checks are issued from a sheltered workshop or the day training and habilitative center. 48.3 percent of the persons in supported employment are paid through the center and the remaining 3.4 percent are paid by a sheltered workshop.

DRS/6

Vocational Rehabilitation-Time Limited Supported Employment

Analysis prepared from data collected on closures gives 54% for business and 46% for facility programs (DACs/Extended Employment).

Extended Employment Program-Community Based Employment

Analysis prepared from data on type of supported employment programming estimates 56% for business and 44% for facility.

EDUCATION

Approximately 90% are employees of business/industry and 10% are employees of a facility, such as a sheltered workshop.

QUESTION 23: WHAT IS THE MAXIMUM AMOUNT OF TIME THAT ANY CLIENT CAN RECEIVE FUNDS FROM YOUR DEPARTMENT FOR SUPPORTED EMPLOYMENT? (IF APPROPRIATE, DIFFERENTIATE BY PROGRAM.)

DHS

A particular client's services are provided in accordance with a service plan and can be life-long. However, the time is limited in a sense by county budgets and approved day services vendors' budgets (at county level).

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Generally 18 months for Title 6C funds. No limit for other funds.

Extended Employment Program-Community Based Employment

No limit.

EDUCATION

Funds are tied to the age of the student. For the Work Experience Program ("WECEP") which serves students that are disadvantaged and handicapped, funds can be provided to students up to the age of 14. For WEH, funds can be provided to students up to the age of 16. No funds can be provided once a student reaches the age of 21 (or completion of that year) or graduates.

QUESTION 24: DO FEDERAL STATUTES OR REGULATIONS ESTABLISH THE MAXIMUM AMOUNT OF TIME THAT ANY CLIENT CAN RECEIVE FUNDS FOR SUPPORTED EMPLOYMENT? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

No.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Yes, for short term training.

Extended Employment Program-Community Based Employment

No.

EDUCATION

Yes, Funds can only be provided to students while they are enrolled in special education and up to the age of 21.

QUESTION 25: FOR THE CLIENTS IN SUPPORTED EMPLOYMENT FUNDED BY YOUR DEPARTMENT, WHAT SERVICES DO YOU FUND?

DHS

DHS funds training, assessment and evaluation, placement, follow-along for less than 6 months, follow-along for 6 months to 1 year and follow-along for more than 1 year, pursuant to Rule 38. However, "waiver" clients must first receive services from DRS/VR to the extent that such services are available (e.g., training, placement, short-term follow-along) before MA funds are used.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

DRS funds training, assessment and evaluation, placement, follow-along for less than 6 months, follow-along for 6 months to 1 year and follow-along for more than 1 year.

Extended Employment Program-Community Based Employment

DRS funds training, placement, follow-along for less than 6 months, follow-along for 6 months to 1 year and follow-along for more than 1 year. DRS does not fund assessment and evaluation.

EDUCATION

Both state and federal funds can pay for training, assessment and evaluation, placement, and follow-up (which is optional). For state monies, a staff formula is used (66% reimbursed, up to a cap of \$18,400); a total of \$4.1 million is available. For federal monies, funding is based on a child count (handicapped students in voc ed [duplicated]), then divided by those who apply; a total of \$265,000 is available.

QUESTION 26: DO FEDERAL STATUTES OR REGULATIONS ESTABLISH WHETHER YOU FUND THE AREAS LISTED IN YOUR RESPONSE TO QUESTION 25? STATE STATUTES OR REGULATIONS? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

Funding is based on state plan and the waiver amendment as approved by the federal government. See Interagency Agreement. Funding for CSSA clients is available for all services in accordance with the county's determination of need for the service and purchase of service agreement with the vendor. Again, licensing rules govern that those services be made available and provided as needed in accordance with individual service plans.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

34 CFR 361 and 363. Note: clients may be funded until employment is stabilized.

Extended Employment Program-Community Based Employment

MS 129A MVAR 3300.2050, subpart 3. Note: Extended Employment funding is by program and not by function.

EDUCATION

Federal statutes' (Carl Perkins) specific focus is on assessment. Carl Perkins is interpreted

to supplement services, not fund programs. The Minnesota statute provides for reimbursement of staff (66%) but training, assessment and evaluation, placement are all legitimate activities for funded personnel.

QUESTION 27: WHAT IS THE FUNDING PATH FOR FUNDS DISTRIBUTED BY YOUR DEPARTMENT FOR SUPPORTED EMPLOYMENT? (PLEASE DRAW THE FUNDING PATH STARTING WITH THE FEDERAL GOVERNMENT, IF APPROPRIATE, THROUGH THE ULTIMATE RECEIVER.)

DHS

See attached chart.

DRS

See attached charts for Vocational Rehabilitation and Extended Employment Program.

EDUCATION

\$4.1 million (state funds) ----> \$2.5 million go to districts to reimburse a percentage of their staff salaries up to cap of \$18,400 +
Remainder is used for supplies, equipment, travel, contracted services

QUESTION 28: DO FEDERAL STATUTES OR REGULATIONS ESTABLISH THIS FUNDING PATH? STATE STATUTES? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

For MA funds, the path is determined by the state plan and federal regulations (Title XIX). For CSSA funds, the path is determined by the formula in state regulations.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Extended Employment Program-Community Based Employment

Yes, MS 129A, MCAR 3300.2550

EDUCATION

M.S. 124.

QUESTION 29: HOW ARE THE FUNDS FOR SUPPORTED EMPLOYMENT ALLOCATED (E.G., FEE FOR SERVICE, BY PERSON, BY PROGRAM, BY FORMULA, ETC)?

DHS

The allocation is ultimately based on the agency budget approved by the county on an annual basis. The daily fee for service is based on per person participation. The unit of service per agency = a day of training and habilitation or partial day of training and habilitation or transportation.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Vocational Rehabilitation counselors purchase needed services from various vendors on a per person basis guided by a program plan for the individual.

Extended Employment Program-Community Based Employment

See response to Question 31.

EDUCATION

See response to Question 25.

QUESTION 30: DO FEDERAL STATUTES OR REGULATIONS ESTABLISH THE ALLOCATION METHOD? STATE STATUTES? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

State statutes and regulations (M.S. Section 252.46 and Parts 9525.1200 to 9525.1330) establish

the allocation method. M.S. Section 252.46 is currently under revision; the rule-making process is underway.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Yes, 34 CFR 361 and 363 establish the formula for allocating funds to state agencies and state agencies allocate the funds as described in the response to Question 29.

Extended Employment Program-Community Based Employment

Yes, MCAR 3300.2550.

EDUCATION

Yes.

QUESTION 31: HOW IS A RATE ESTABLISHED FOR EACH SUPPORTED EMPLOYMENT SERVICE SUPPLIED OR FUNDED BY YOUR DEPARTMENT?

DHS

No differentiation of service at present; currently redesigning the rate setting system to differentiate by service types and costs.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

Rates are established by written operating agreements or by individualized fee for service arrangements.

Extended Employment Program-Community Based Employment

Total of CBE program dollars is determined using a formula which weighs statewide need and the needs of individuals currently served in Extended Employment programs. The dollars are distributed to providers based on need for new programs and the measured performance of existing programs.

EDUCATION

Not applicable.

QUESTION 32: DO FEDERAL STATUTES OR REGULATIONS MANDATE THE METHOD FOR ESTABLISHING RATES? STATE STATUTES? OTHER? (PLEASE IDENTIFY SPECIFIC STATUTES OR REGULATIONS.)

DHS

See response to Question 30.

DRS

Vocational Rehabilitation-Time Limited Supported Employment

34 CFR 361 and 363 mandate only that state Vocational Rehabilitation agencies must provide for entering into agreements concerning rates of payment.

Extended Employment Program-Community Based Employment

Yes, MCAR 3300.1950 - 3050.

EDUCATION

Not applicable.

FOOTNOTES

1. The DHS data is based on a survey of 80% of DAC participants and was prepared by Developmental Disabilities planning staff. All numbers are estimates projected from the survey data. The survey was done for clients in programs in the quarter 10/86 to 12/86.

DRS data is based on data returned from all individuals recording any Community Based Employment work hours during SFY 1987.

There is a significant difference in data based on the reporting periods for each source. DRS data summarizes a complete year; DHS data surveys and estimates one quarter. DHS information summarizes only one quarter. DHS counts should not be used for total yearly service estimates. If yearly summaries are requested, i.e., the actual number of individuals served in supported employment in a fiscal or calendar year, the DAC counts would need to be adjusted upward in all data provided by an unknown factor. (The equivalent difference in the DRS-Extended Employment data is that the yearly summary is 32% greater than the final quarter for the fiscal year. But this difference may not be representative of the situation in DACs.)

If counts are required for a single point in time, DRS Extended Employment and VR program figures would need to be adjusted downward.

This statement applies to all numbers reported.
2. The DRS-Extended Employment figure is the net difference between the yearly summary of participants for SFY 1987-SFY1986. The actual number of people entering the system will be higher given the fact that individuals entering Community Based Employment replace individuals exiting CBE during the year; and those entries are not counted using a net difference method. This is further complicated because often Community Based Employment is seasonal or short term and an employee may enter and leave Community Based Employment several times within a year.

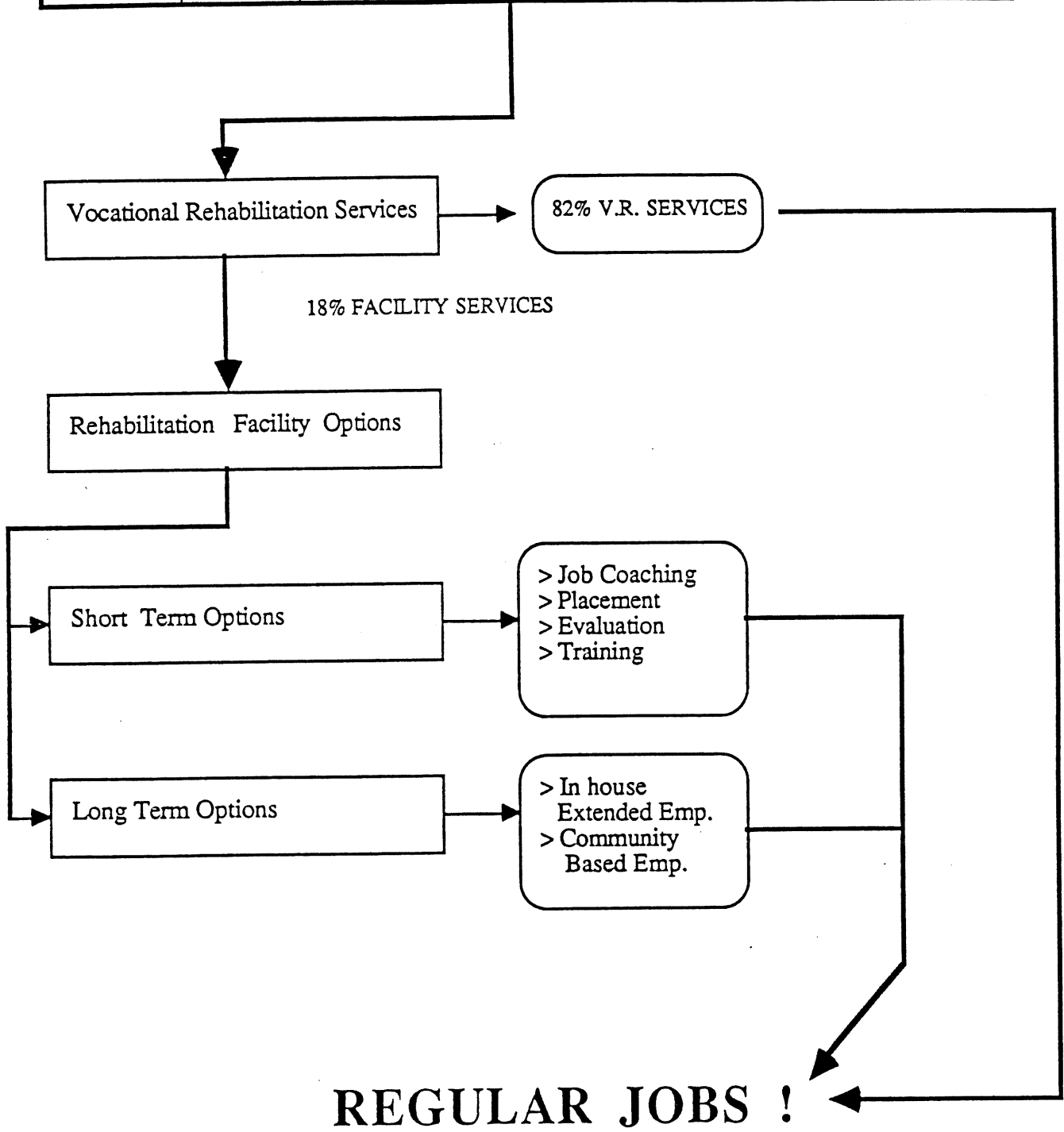
Discussion with Scott Nagel and Lisa Rotegard suggests that a similar situation prevails in DAC Supported Employment.
3. Exit figures are not equivalent because of the quarter/yearly summary problem explained earlier. Proportions in exit figures may be comparable.

While not shown, DAC data provides reasons for exit; Extended Employment data does not. VR data codes only closures; data for exits to other outcomes not available.

4. Both Extended Employment and DAC data are estimates based on averages from total hours. VR data was generated from 1st week of closure status reports.
5. VR figure taken from first week of closure status reports. EE from all wages and hours reported from the system. DAC estimated from survey reports.
6. The figure for the DAC's is generated from the quarterly survey based on paycheck. Extended Employment is an estimate based on type of community based program. Vocational Rehabilitation is taken from name of employer at closure.

REFERAL SOURCES

Counties	Schools	Medical / Hospital	Self, family	Job Service	Others
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INTERAGENCY AGREEMENT BETWEEN
DEPARTMENT OF HUMAN SERVICES
AND JOBS AND TRAINING

LISA
Sent to Administration
11/27/87
QUESTION

Whereas, the Department of Human Services (DHS) has received approval from the Health Care Financing Administration to reimburse vendors of day training and habilitation services licensed under Minnesota Rules, parts 9525.1500 to 9525.1690 using Medical Assistance (MA) funds for supported employment services (as defined in III B) to persons with mental retardation or related conditions in accordance with the criteria and definitions outlined below; and

26

Whereas, the Department of Jobs and Training, Division of Rehabilitation Services Vocational Rehabilitation Program (DRS/VR) also makes available supported employment services in accordance with Section 110 of the Rehabilitation Act of 1973 (29 USC 730) as amended in October of 1986 and delivered by vocational rehabilitation counselors; and

Whereas, regulations implementing section 9502(a) of P.L. 99-272 require that before MA funds can be used to reimburse supported employment services, the state certify that supported employment services are not otherwise available to an individual from DRS/VR under section 110 of the Rehabilitation Act of 1973 (29 USC 730); and

Whereas, Minnesota Statutes, sections 252.43 provides the Department of Human Services the authority to enter into agreements with the Department of Jobs and Training; and

Whereas, Minnesota Statutes, section 268.0122, subdivision 2 provides the Department of Jobs and Training the authority to contract with the Department of Human Services to carry out functions of implementation associated with employment and training programs;

NOW, THEREFORE, IT IS AGREED THAT:

- I. The Department of Human Services and the Department of Jobs and Training agree to cooperate in determining individual eligibility for funding of a particular supported employment service in accordance with parts II, III, IV, V, VI and VII.
- II. Applicability. The provisions contained in this agreement apply to local county social service agencies and county case managers of persons with mental retardation or related conditions and to local DRS/VR agencies.
- III. Department of Human Services Duties. The Department of Human Services shall supervise local county social service agencies and shall assure that local county social service agencies comply with the following provisions. The following are actions required and criteria to be followed by county case managers of persons with mental retardation or related conditions when determining eligibility for and funding of a particular supported employment service:
 - A. Before supported employment services may be provided to persons with mental retardation or a related condition under the Home and Community-Based Waiver, a screening team convened in accordance with Minnesota Rules, parts 9525.0065 must determine that supported employment services are appropriate and that the person is eligible

for such services. Case managers must consult with the DRS/VR counselor or representative from the area vocational rehabilitation office as part of the assessment process prior to the screening. Attachment A, entitled Documentation of Eligibility For Supported Employment Services Under the Home and Community-Based Waiver And Client Choice Of Services, must be completed by the county case manager and signed by the county case manager and representative from the local DRS/VR agency. A copy of the form must be attached to the screening document submitted to the regional service specialist (RSS) for MA authorization. A copy of the completed form must also be included in the person's individual service plan file and a copy retained by the local DRS/VR agency or representative.

- B. Supported employment services provided to a person with mental retardation or a related condition must be provided by a day training and habilitation services vendor licensed under Minnesota Rules, parts 9525.1500 to 9525.1690 and must meet the following criteria to be reimbursable under the Home and Community-Based Waiver:
1. The services are provided to an individual who resided in an ICF/MR or regional treatment center immediately prior to being served under the waiver and the person was discharged from the ICF/MR or regional treatment center on or after April 7, 1986.
 2. The services are authorized by the case manager as part of an individual service/habilitation plan which includes residential services funded under the Home and Community-Based Waiver.
 3. The services allow an individual 1) to engage in paid employment in a setting where persons without disabilities are also employed, particularly existing businesses or industry sites, and 2) the opportunity for social interactions with persons who do not have disabilities and who are not paid caregivers.
 4. Public funds are necessary for the purpose of providing ongoing training and support services throughout the period of employment.
 5. The person is not eligible for the particular supported employment service from a vocational rehabilitation program funded under Section 110 of the Rehabilitation Act of 1973 (29 USC 730) as amended in October of 1986 and delivered by DRS/VR. A finding that the person is not eligible for a particular service or that the needed services are not available from DRS/VR must be based on written documentation on forms supplied by the Commissioner of Human Services and filed with the individual service plan (see Attachment A).
- C. When a person requires supported employment services and they are provided by a day training and habilitation services vendor licensed under Minnesota Rules, parts 9525.1500 to 9525.1690, the screening document (Attachment B), must be coded under Planned, Block 3, Item 12 (Adult day habilitation). "Supported Employment" must be written in Note Area 2 and also coded under Funding for Planned, Block 31, Item 12, as appropriate.

IV. Department of Jobs and Training Duties. The Department of Jobs and Training shall supervise local DRS/VR agencies that deliver supported employment services, and shall assure that local DRS/VR agencies comply with the following provisions.

A. Services to clients with a goal of supported employment are provided through agencies that provide specialized services which have been found through research and demonstration to result in paid employment. These specialized services include time-limited, intensive training at the actual job site by a job coach and other time-limited training for attainment of a supported employment outcome as agreed upon and specified for each client in the Individually Written Rehabilitation Program (IWRP). When the objectives of the IWRP have been met or it is determined that the person's optimal productivity level has been reached, long-term support will take effect and responsibility for funding, support, and case management will be assumed by the county social service agency.

B. When contacted by the county case manager of a person with mental retardation or a related condition, a representative of the local DRS/VR agency will cooperate with the county case manager to determine whether the person with mental retardation or a related condition is eligible for funding of a particular supported employment service under Section 110 of the Rehabilitation Act of 1973 as amended.

1. When the person is not eligible for reimbursement of a particular supported employment service under section 110 of the Rehabilitation Act of 1973, as amended, or the needed service is unavailable from DRS/VR, a representative of the local DRS/VR agency must document the client's ineligibility for DRS/VR funded services and co-sign the Documentation of Eligibility For Supported Employment Services Under the Home and Community-Based Waiver and Client Choice of Services.

2. A person's supported employment services must be delivered by DRS/VR in accordance with the following definitions and criteria to be reimbursable under Section 110 of the Rehabilitation Act of 1973 as amended:

a. Supported employment means employment of an individual who experiences a disability or disabilities severe enough to require ongoing training and support in order to retain and maintain employment in a position in which:

1) The individual engages in paid employment (typically for 20 or more hours a week) in a variety of integrated settings, particularly regular work sites; and

2) Public funds are necessary for the purpose of providing ongoing training and support services throughout the period of employment; and

3) There are opportunities for interactions with individuals who do not have disabilities and who are not paid caregivers.

3. Individual eligibility must be documented by a representative of the local DRS/VR agency in accordance with the following criteria:

a. The presence of a physical or mental disability that is a substantial handicap to employment must be documented through evidence of a comprehensive diagnostic study with medical and/or psychological documentation of primary and any secondary disabilities; a description of how disability constitutes a vocational handicap; and the physical and/or psychological limitations are stated in functional terms.

b. There must be a reasonable expectation that the provision of rehabilitation services will benefit the individual in terms of employability or that an extended evaluation is necessary in order to determine reasonable expectation of employability.

1) Determine whether the employment resulting from the provision of rehabilitation services is likely to be supported employment or competitive.

2) If the individual is likely to achieve supported employment, there must be a local agency/individual skilled in the provision of supported employment services from whom services can be purchased; and the county must agree to provide ongoing, perhaps lifetime, support services to insure that the individual will retain his/her job.

V. The date of effectiveness of this agreement is August 1, 1987. The agreement will remain in effect until amended or terminated.

VI. This agreement may be modified by mutual consent of the parties. Modifications to this agreement shall be in writing, and executed as an amendment to this contract.

VII. This agreement may be terminated by either party providing written notice is made 60 days in advance of termination.

VIII. The parties of this agreement agree to the provisions contained in Attachments A, B and C which are incorporated by reference and made part of this agreement.

10/26/87
Date

10/26/87
Date

11-13-87
Date

Date

Date

[Signature]
Department of Human Services

[Signature]
Department of Jobs & Training

[Signature]
Attorney General

Administration

Finance

ATTACHMENT A

DOCUMENTATION OF ELIGIBILITY FOR SUPPORTED EMPLOYMENT SERVICES UNDER THE HOME AND COMMUNITY-BASED WAIVER AND CLIENT CHOICE OF SERVICES

Person's Name _____
Person's MA ID# _____
Person's Birthdate _____

- * If the person is age 21 or younger (or of school age according to state statute) the person is not eligible for supported employment services funded under the waiver.

I. Client Eligibility

Yes No

— — Did this person exit directly from an ICF/MR into the Waivered Services Program on or after April 7, 1986?

- * If no, the person is not eligible for supported employment services funded under the waiver.

— — Will this person be receiving residential services funded under the waiver while receiving supported employment services?

- * If no, the person is not eligible for supported employment services funded under the waiver.

— — Have you coded DHS Form 2658 (Screening Document) "1" under Planned and Funding For Planned, Block 31, Item 12, (Adult Day Habilitation), and written "supported employment" in Note Area 2?

- * If all of above are coded Yes, continue to next section.

II. Service Eligibility

The above-named individual must meet one of the criteria below to be eligible for funding of supported employment under the Home and Community-Based Waiver. This determination should be made in consultation with a Division of Rehabilitation Services/Vocational Rehabilitation (DRS/VR) counselor or representative.

Yes No

— — The person is not considered an appropriate referral to DRS/VR in accordance with the screen-out criteria as described in Section 26520.025 of the Social Security Administration Program Operations Manual or presents an unfavorable applicant profile as described in section 26520.25 of the Social Security Administration Program Operations Manual (i.e., terminal degenerative disease).

OR

— — The person has been referred to DRS/VR but was found to be ineligible.

OR

Yes No

— — The person has been a recipient of supported employment services available under Section 110 but is no longer eligible for needed services because the objectives of the IWRP have been met, it was determined that the person's optimal productivity level had been reached, or because DRS/VR funds are not currently available to provide the necessary service.

OR

— — The person is a current client of DRS/VR but the needed services are not available under Section 110.

Supported Employment Services
To Be Provided By Each Funding Source*

Funding	Service Type/Duration or Dates of Effectiveness
Waiver(MA)	
DRS/VR	

* Services typically available under section 110 may include, but are not limited to, time-limited services including on-the-job training, assessment, counseling, mobility training, transportation training, job development, and job placement. Services typically not available under section 110 may include, but are not limited to long-term services including ongoing support services, training in related skill areas essential to obtaining and retaining employment such as transportation, use of break areas, community resources, etc.

The above completed form constitutes an agreement, effective from _____ to _____, among the local county case manager, the vocational rehabilitation agency or representative, and the person who will receive services for the provision of the supported employment services specified above.

Date

Signature of Case Manager

Date

Signature of local DRS/VR Counselor
or Representative

Date

Signature of Person/Person's Legal
Representative

- * 1 copy in ISP file
- 1 copy to Regional Service Specialist
- 1 copy to local DRS/VR agency or representative

ATTACHMENT B SCREENING DOCUMENT FOR INDIVIDUALS WITH MENTAL RETARDATION

DHS-2658
2658-01
(Rev. 11/1/85)

(Consult Codebook for further explanation of items and codes)

Client Name					MA ID Number					
1. LAST			FIRST		M			2.		
Case Number	Date of Birth	Sex	Guardian Status		Fin Rsp	County of Serv	Resid	MA Elig		
3	4. mmddyy	5.	M F		6	7	8	9	10	

- | | |
|------------------------------------------|--------------------------------------|
| 1 = Has a private guardian (nonparent) | 5 = Has a guardian "ad litem" |
| 2 = Has a public guardian (Ward of Comm) | 6 = Parent is legal guardian |
| 3 = Has a private conservator | 7 = Needs guardian (full or limited) |
| 4 = Has a public conservator | 8 = No guardian needed |

- | | |
|---------------------------------------------|-------------------------------|
| 1 = Eligible | 4 = Eligible by suspension of |
| 2 = Not eligible | deeming rules |
| 3 = Holding document pending MA application | |

Case Manager Name		CM Number
11		12
QMRP Name		
13		Action Date
		Action Type
		14. mmddyy
		15

- | |
|--------------------------------|
| 01 = Initial Screening |
| 02 = Unscheduled Rescreening |
| 03 = Sched. Annual Rescreening |
| 04 = Exit — no longer at-risk |
| 05 = Exit — relocation |
| 06 = Exit — loss of fin. elig. |
| 07 = Exit — refuses services |
| 08 = Exit — death |
| 09 = Exit — other |
| 10 = Re-entry screening |
| 11 = Data collection |

CASE INFORMATION

Medical	1 = No serious/specialized medical needs 2 = Needs specialized or frequent medical attention (office visits only, not on-site attention) 3 = Needs on-call medical attention	4 = Needs on-site medical attention, but less than 24 hours day 5 = Needs on-site medical attention, 24 hours day 9 = Unknown (justify in Note Area 1)
16		
Vision	1 = No impairment — normal function 2 = Difficulty at level of print 3 = Difficulty at level of obstacles	4 = No useful vision/blind 9 = Unknown (justify in Note Area 1)
17		
Hearing	1 = No impairment — normal function 2 = Loss present, no correction needed 3 = Impairment — correctable (with aid) 4 = Impairment — not correctable	5 = Only responds to alarm sounds 6 = No useful hearing deaf 9 = Unknown (justify in Note Area 1)
18		
Seizures	01 = No history or evidence of seizures 02 = History of seizures, but none recently 03 = Occasional minor seizures — controlled 04 = Occasional minor seizures — uncontrolled 05 = Occasional major seizures — controlled 06 = Occasional major seizures — uncontrolled	07 = Frequent minor seizures — controlled 08 = Frequent minor seizures — uncontrolled 09 = Frequent major seizures — controlled 10 = Frequent major seizures — uncontrolled 99 = Unknown (justify in Note Area 1)
19		
Mobility	1 = No impairment — normal function 2 = Moves with assistance (walker, crutches, etc.) 3 = Moves with wheelchair — propelled by self 4 = Moves with wheelchair — propelled by others	5 = Not mobile due to overriding medical condition (please specify in Note Area 1) 9 = Unknown (justify in Note Area 1)
20		
Commun	1 = No impairment — normal function 2 = Speech is difficult to understand 3 = Uses sign language primarily 4 = Uses gestures and may use some signs	5 = Uses alternative communication devices 6 = Does not make needs known 9 = Unknown (justify in Note Area 1)
21		
Self Preservation	1 = Yes, is capable of self-preservation 2 = No, is not capable of self-preservation 3 = Unknown (justify in Note Area 1)	Lev of Supervision 1 = Client is fully independent 2 = Client is semi-independent 3 = Client needs moderate supervision 4 = Client needs substantial supervision 5 = Client needs intensive supervision 9 = Unknown (justify in Note Area 1)
22		23

ATTACHMENT C

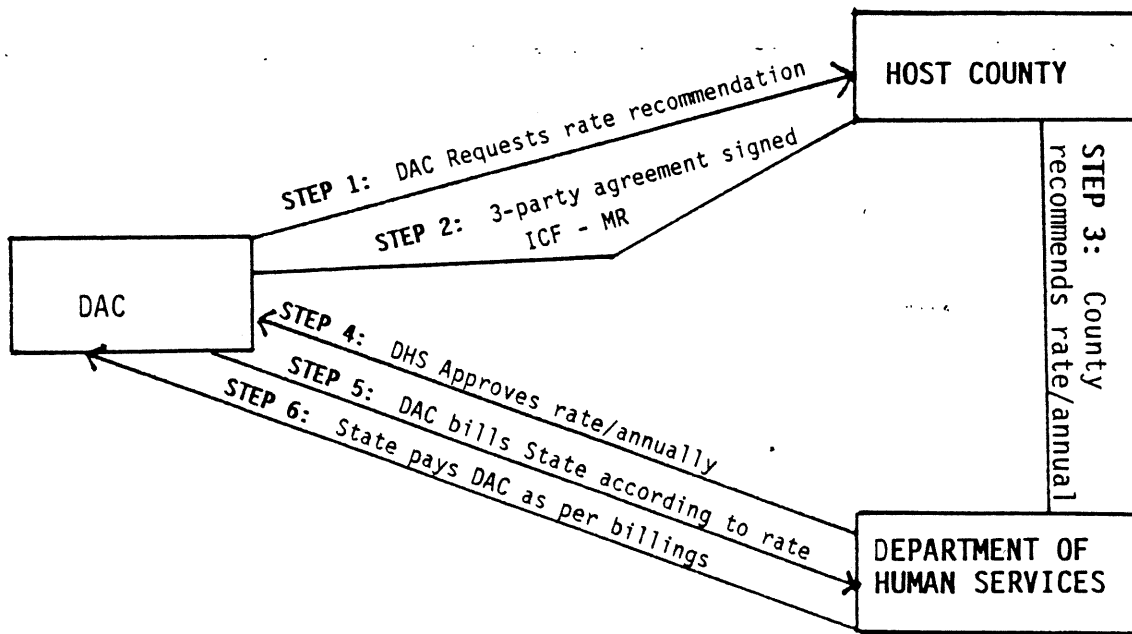
Interagency Agreement Between the Departments of Human Services and Jobs and Training

For the purposes of executing its responsibilities, and to the extent set forth in this agreement, the Department of Jobs and Training shall be considered part of the welfare system as defined in Minnesota Statutes, section 13.46, subdivision 1. The Department of Jobs and Training employees and agents shall have access to private or confidential data maintained by the Department of Human Services to the extent necessary to carry out its responsibilities under the agreement. The Department of Jobs and Training agrees to comply with all the requirements of the Minnesota Government Data Practices Act in providing services under this agreement. James R. House, Director of Vocational Rehabilitation is the responsible authority in charge of all data collected, used, or disseminated by the Department of Jobs and Training in connection with the performance of this agreement. See Minnesota Statutes, Law 1984, chapter 436, section 24 amending Minnesota Statutes, section 13.46, subdivision 10. The Department of Jobs and Training accepts responsibility for providing adequate supervision and training to its agents and employees to ensure compliance with the Act. No private or confidential data collected, maintained, or used in the course of performance of the agreement shall be disseminated except as authorized by statute, either during the period of this agreement or thereafter. The Department of Jobs and Training agrees to indemnify and save and hold the state, its agents and employees, harmless from all claims arising out of, resulting from, or in any manner attributable to any violation of any provision of the Minnesota Government Data Practices Act, including legal fees and disbursements paid or incurred to enforce the provisions of this agreement.

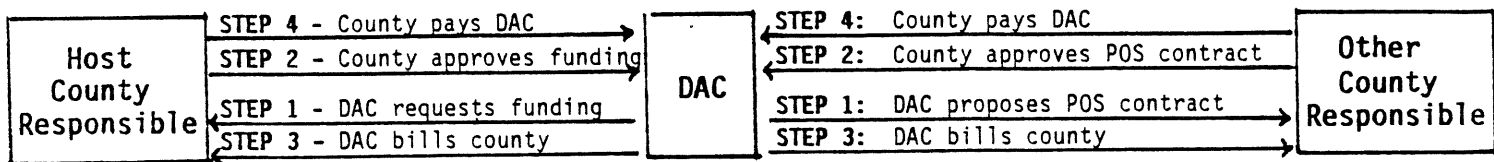
DAC RESOURCE DEVELOPMENT PATH/ICR.MR RESIDENT

non-waiver

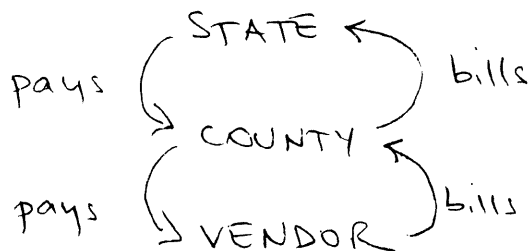
QUESTION 27.



DAC RESOURCE DEVELOPMENT PATH/CSSA



MA WAIVER



Department of Jobs and Training

DIVISION OF REHABILITATION SERVICES

FUNDING FLOW: VOCATIONAL REHABILITATION AND EXTENDED EMPLOYMENT FUNDS

NOVEMBER 20, 1987

Vocational Rehabilitation funds 80% Federal - 20% State	Extended Employment Funds 100% State
-------------------------------------------------------------------	------------------------------------------------

FEDERAL



STATE



**LOCAL OFFICES
COUNSELORS**



SERVICE PROVIDERS
(Fee for Service)

STATE



SERVICE PROVIDERS
(Performance funding)

APPENDIX G

MEMORANDUM

TO: Members
Supported Employment Task Force

FROM: John Sherman
Division of Rehabilitation Resources

DATE: December 10, 1987

SUBJECT: Severity of Disability in community employment
programs in DACs and Extended Employment facilities

At the last Task Force meeting a request was made to prepare a simple analysis of the severity of disabilities in DHS and DRS funded community employment programs. This report was developed in response to that request. The analysis examines severity in DAC and Extended Employment programs providing employment in the community.

The information in the report was developed from data provided by each Departments and the State Planning Agency. My grateful appreciation is given to Lisa Rotegard and Scott Nagel of both agencies for their help in providing the data used.

The request was for an exact and simple comparison between both programs. This is not possible for several reasons. The reasons are:

1. The two different methodologies for collecting participant data; DHS/Planning Agency data on DAC programs is based on estimates for the quarter 10/86 to 12/86 from approximately 80% of DAC population while DRS data is for full SFY1987 on all participants reporting days in CBE.

2. The major difference in the make-up of disabilities between both both programs; 98% of the individuals in DAC-community programs have a diagnosis of mental retardation while only 59% of Extended Employment program participants have the same diagnosis. The classifications mild, moderate, severe and profound are not available for 41% of the Extended Employment program population.

3. Differences associated with the classification system for mental retardation. DRS uses a medical model for participants. The system for DAC classification uses IQ to divide groups.

4. and, the use of Functional Assessment Inventory (FAI) index data which is universal in the Extended Employment system but is only available for DAC based program participants in work component programs.

Despite these problems some assessments can be given:

1. Both programs serve individuals with severe disabilities but in both programs these individuals are in the minority;

2. The proportionate share of individuals with severe disabilities in community programs is greater in DAC based programs.

3. Because the number of individuals served in the Extended Employment program is substantially greater (2,700+ versus 1,500+) approximately the same number of severely disabled individuals are served by both programs in the community. The totals come to around three to four hundred individuals per program depending upon the severity measure used.

The following table displays the number of individuals in community programs for each system. Because of the different methods which collected the percent share figures in the table are comparable but the numbers are probably not.

TABLE 1.

 COMMUNITY EMPLOYMENT COUNTS BY FACILITY AND DIAGNOSIS

	DAC-SW	PERCENT	EE-CBE	PERCENT
PROFOUND MENTAL RETARDATION	33	2.99%	NOT USED	
SEVERE MENTAL RETARDATION	290	26.32%	202	7.43%
MODERATE MENTAL RETARDATION	320	29.04%	508	18.70%
MILD MENTAL RETARDATION	431	39.11%	885	32.57%
OTHER MR	3	.27%	NOT USED	
OTHER DIAGNOSIS	25	2.27%	1,122	41.30%

TOTAL	1,102	100.00%	2,717	100.00%

The following table displays counts for only individuals with mental retardation.

TABLE 2.

 COMMUNITY EMPLOYMENT COUNTS BY DIAGNOSIS OF
 MENTAL RETARDATION

	DAC	PERCENT	EE-CBE	PERCENT
SEVERE AND PROFOUND	323	30.07%	202	12.66%
MODERATE	320	29.80%	508	31.85%
MILD	431	40.13%	885	55.49%

TOTAL	1,074	100.00%	1,595	100.00%

While developing the Extended Employment funding formula the work group of advocates, providers and agency staff determined that a measure of difficulty of performance was necessary to ensure that more dollars would flow to programs with individuals whose disability(ies) made providing work in the community more difficult. The work group also decided that given the range of populations in the program, and given a general suspicion of the effective usefulness of diagnostic labels, something other than diagnostic label was needed for determining difficulty of

placement because of disability. The result was the weighted FAI index used in the formula.

Table 3. displays an estimated severity count based on FAI data in the DRS data base. For the purpose of this analysis 'severe' is defined as scores in the lowest 30% of all Extended Employee participants. The DRS data is estimated proportionately from FAI index scores in the Work Component program. The number of individuals in DAC-community programs is estimated at 1,500 for the year based on DHS data. The further assumption is that the Work Component sample is representative of DAC's as a whole.

This table is rough projection of severity using functional disabilities rather than diagnosis.

Table 3.

COMMUNITY EMPLOYMENT -- FAI INDEX USED FOR SEVERITY
(SEVERE EQUALS INDEX SCORE IN LOWEST 30%)

PROGRAM	TOTAL	SEVERE	PERCENT
DAC	1,500	398	26.55%
EE-CBE	2,717	408	15.03%

The final two tables (#4 and #5) show the number of individuals in each decile (10% slice) in Community Based Employment programs by diagnostic category for both the entire Extended Employment program and the Work Component program and the percent share for the category.

Given the comments made by individuals on the inability of the FAI to measure the bottom for severely retarded individuals it should be noted that almost 60% of individuals described as severely mentally retarded in Work Component programs have index scores in the upper 70% of the full Extended Employment population.

SUMMARY: This data should be issued with a warning. Neither data set is particularly good at giving comparable and precise measurements of severity for disability. Both diagnostic and FAI information can provide a rough overview but in all fairness not much better than that.

TABLE 4: EXTENDED EMPLOYMENT(EE) AND WORK COMPONENT(WC) COMMUNITY EMPLOYMENT COUNTS BY DIAGNOSIS AND DECILES OF FAI INDEX

EXTENDED EMPLOYMENT	DIAGNOSIS	DECILES										TOTAL
		1	2	3	4	5	6	7	8	9	10	
NON-MR		315	204	150	103	79	87	62	42	35	36	1113
MILD MR		167	133	121	112	104	81	62	53	33	19	885
MDRTE MR		34	74	76	64	49	58	42	41	40	30	508
SEVERE MR		4	6	19	18	23	34	25	24	23	32	208
		520	417	366	297	255	260	191	160	131	117	2714
NON-MR		1	5	1	1	26	5	1	3	4		47
MILD MR		4	6	3	7	10	6	7	5	1	2	51
MDRTE MR		1	14	12	15	8	11	13	10	8	9	101
SEVERE MR		0	3	6	3	6	14	13	5	12	14	78
		6	28	22	26	50	36	34	23	25	25	275

TABLE 5: EXTENDED EMPLOYMENT(EE) AND WORK COMPONENT(WC) COMMUNITY EMPLOYMENT PERCENT BY DIAGNOSIS AND DECILES OF FAI INDEX

EXTENDED EMPLOYMENT	DIAGNOSIS	DECILES										TOTAL
		1	2	3	4	5	6	7	8	9	10	
NON-MR		28.30%	18.33%	13.48%	9.25%	7.10%	7.82%	5.57%	3.77%	3.14%	3.23%	100.00%
MILD MR		18.87%	15.03%	13.67%	12.66%	11.75%	9.15%	7.01%	5.93%	3.73%	2.15%	100.00%
MDRTE MR		6.63%	14.57%	14.96%	12.60%	9.65%	11.42%	8.27%	8.07%	7.67%	5.91%	100.00%
SEVERE MR		1.92%	2.88%	9.13%	8.65%	11.06%	16.35%	12.02%	11.54%	11.06%	15.33%	100.00%
		19.16%	15.36%	13.49%	10.94%	9.40%	9.58%	7.04%	5.90%	4.83%	4.31%	100.00%
NON-MR		2.13%	10.64%	2.13%	2.13%	55.32%	10.64%	2.13%	6.38%	8.51%	.00%	100.00%
MILD MR		7.84%	11.76%	5.88%	13.73%	19.61%	11.76%	13.73%	9.80%	1.96%	3.92%	100.00%
MDRTE MR		.99%	13.86%	11.88%	14.85%	7.92%	10.89%	12.87%	9.90%	7.92%	8.91%	100.00%
SEVERE MR		.00%	3.95%	7.89%	3.95%	7.89%	18.42%	17.11%	6.58%	15.79%	18.42%	100.00%
		2.18%	10.18%	8.00%	9.45%	18.18%	13.09%	12.36%	8.36%	9.09%	9.09%	100.00%

APPENDIX H

**RECOMMENDATIONS ON FUNDING COMMUNITY/
SUPPORTED EMPLOYMENT**

By:

Funding Subgroup of the Legislative
Task Force on Employment
Ed Skarnulis
Marv Spears
Barb Troolin
Colleen Wieck

A. FUNDING PRINCIPLES

The funding subgroup recognizes that there are disparities in the amount of funds available per person, the funding methods, and the cost sharing among federal, state, and local governments for community/supported employment provided by the three state agencies--the departments of Jobs and Training, Education, and Human Services. These differences create barriers to expansion and conversion of existing programs to community/supported employment.

The funding subgroup believes that all levels of government should share in the costs of supported employment. We recommend that:

1. Federal funds should be maximized whenever possible, and Minnesota should support expansion of federal initiatives such as S. 1673.
2. State funds must be increased to allow expansion of community/supported employment.
3. Local entities (schools and counties) should be encouraged to redirect existing funds to finance community/supported employment. The increased cost of financing community/supported employment cannot be borne exclusively by local entities.

Disparities in the amount of funding and fiscal disincentives should be eliminated for individuals in supported employment. The Legislative Task Force on Employment has endorsed a values statement strongly oriented to the individual client. Individuals in community/supported employment should have adequate, stable funding regardless of severity of disability, location within the state, or the type of provider/agency.

B. CONVERSION/EMPLOYMENT GOALS

Annual goals, such as placements in supported employment of 10 percent of those remaining in DACs and rehabilitation facilities, should be established. The number of special education students who leave public schools is estimated to be 6,000 annually. Of that number, over one-half are able to live and work in the community with little special assistance or supports, using generic services. Goals for the schools should reflect a similar or greater increase of students participating in vocational opportunities.

C. ESTIMATED COSTS

Public funds must be available to cover the costs associated with adding or converting to community/supported employment. The state agencies made rough estimates of the additional costs. It is assumed that current funding levels will be maintained. Any new funds should be targeted and should be commensurate with level of disability of person served.

Department of Jobs and Training

There are currently 4,192 FTEs (Full Time Equivalent) in "in-facility" Extended Employment Programs. We will convert 10 percent or 419 FTEs with the funds requested at an average annual additional cost of \$5,500 per FTE per year. There are more individuals who are severely disabled served per FTE, which means that there will be more persons served than 419.

The total cost for this request will be:

Number of FTEs converted	419
Total Cost per FTE per year	\$ 8,000
Continuation	\$ 2,500
Additional needed	\$ 5,500
Total additional request	\$2,304,500.

An "FTE" in Community Based Employment equals one person working 30 hours per week.

Currently, there are 840 Community Based Employment FTEs being generated in the Extended Employment Program; with this request, there will be 1,259.

Department of Human Services (DHS)

The fiscal note for DHS is based on the following assumptions:

1. There are currently 4,800 people receiving day habilitation services. The number of people estimated to be working in the community outside the facility is 1,000 (most are in part-time positions). The number of people in

community-based activities is due to grant programs, county funding, and redirection of existing funds. The annual average cost of incenter programs is \$6,500. The additional cost to provide support for a person working in the community is estimated to be \$3,500. To decrease the number remaining in the facility by 10 percent, we would have to place 380 in supported employment at a cost of \$3,500 per person or a total of \$1,330,000 for the first year.

State Department of Education (SDE)

The fiscal estimates for SDE are based on these assumptions: There are 19,332 students ages 15 to 21 in special education programs. There are 5,777 students in this age group who are considered levels 4, 5, and 6 (students who are in special education programs more than 50 percent of the day). Approximately 2,625 students are in work experience programs. Of these, 625 are in "supported employment" with assistance from job coaches.

The SDE estimates that the additional cost to provide supported employment services to a student for one year is \$2,100. This is based on 10 hours a week times 35 weeks or 350 hours times \$6/hour for staff ($350 \times \$6.00 = \$2,100$). If the SDE increased the number in supported employment by 20 percent, the estimated cost of expanded services for levels 4, 5, and 6 students (from 625 to 750) would be \$262,500 ($20 \text{ percent of } 625 = 125, 125 \times \$2,100 = \$262,500$).

Additional support services are recommended at the regional level and the state level. It is proposed that each region have a Work Experience Coordinator/Transition Facilitator to provide technical assistance to regions in the development of supported employment ($11 \text{ persons} \times 25,000 = 275,000$ per year). At the state level, there is a need for a position of Employment Specialist linking Vocational Education and Special Education and serving as staff in the development of supported employment opportunities between education and adult services ($1 \text{ staff person} + \text{budget} = \$70,000$ per year).

Preliminary estimates of job coaches for 125 students, 11 Work Coordinators/Transition Facilitators, and 1 Employment Specialist = $262,500 + 275,000 + 77,000 = \$614,500$ per year.

D. ADMINISTRATION OF FUNDS

If there are any new state funds, there should be a three-way split (based on number of people to be served) among the three state agencies--departments of Jobs and Training, Education, and Human Services.

If these funds become available, the Department of Jobs and Training, Rehabilitation Services, would set them aside from regular appropriations for the Extended Employment Program, and allocate them to Extended Employment programs in accordance with the provisions in the Extended Employment Program rules for new providers and new programs.

The State Department of Education would administer funds through vocational education. Local schools would apply for program approval for funding with funds then distributed from the state agency. If the funds are limited, i.e., 10 percent conversion is not possible, the Department of Human Services would probably administer funds through an RFP to counties. If funds were available to do 10 percent conversion, then DHS would fund DACs through a county administered method.

The funding subgroup recommends that if an RFP process is used by the state agencies, there could be coordination in the process. For example, there could be synchronized timing of the application approach, use of a joint review of proposals, and use of a joint evaluation method to assess the impact of the funds.

E. OTHER FUNDING ISSUES

The funding subgroup identified other areas that need funding. Additional work will be necessary to determine the level of funds needed. The items include:

1. Transportation.
2. Advocacy--self-advocacy committees.
3. Monitoring, especially use of volunteers (parents, interested citizens).
4. Training and technical assistance: This issue is critical. Without adequate training, it is questionable whether programs can or should convert to supported employment.

Funds for training and technical assistance should be linked with the service costs such as a percentage of service expenditures or a per person allocation.

5. Create a quasi-public corporation to provide technical assistance to agencies that want to begin or convert to supported employment.
6. Quality assurance, evaluation, program reviews, and safety.

F. TIMING

This paper was prepared as an example of how the cost of placing more persons in supported employment can be calculated. It will be the responsibility of each department to prepare and include estimates for supported employment in their budget recommendations for the 1989 session of the Legislature.

(Revised January 27, 1988)