

# Medicaid Environments: How States are Changing Service Definitions to Support Employment and Community Life Engagement

NASDDDS

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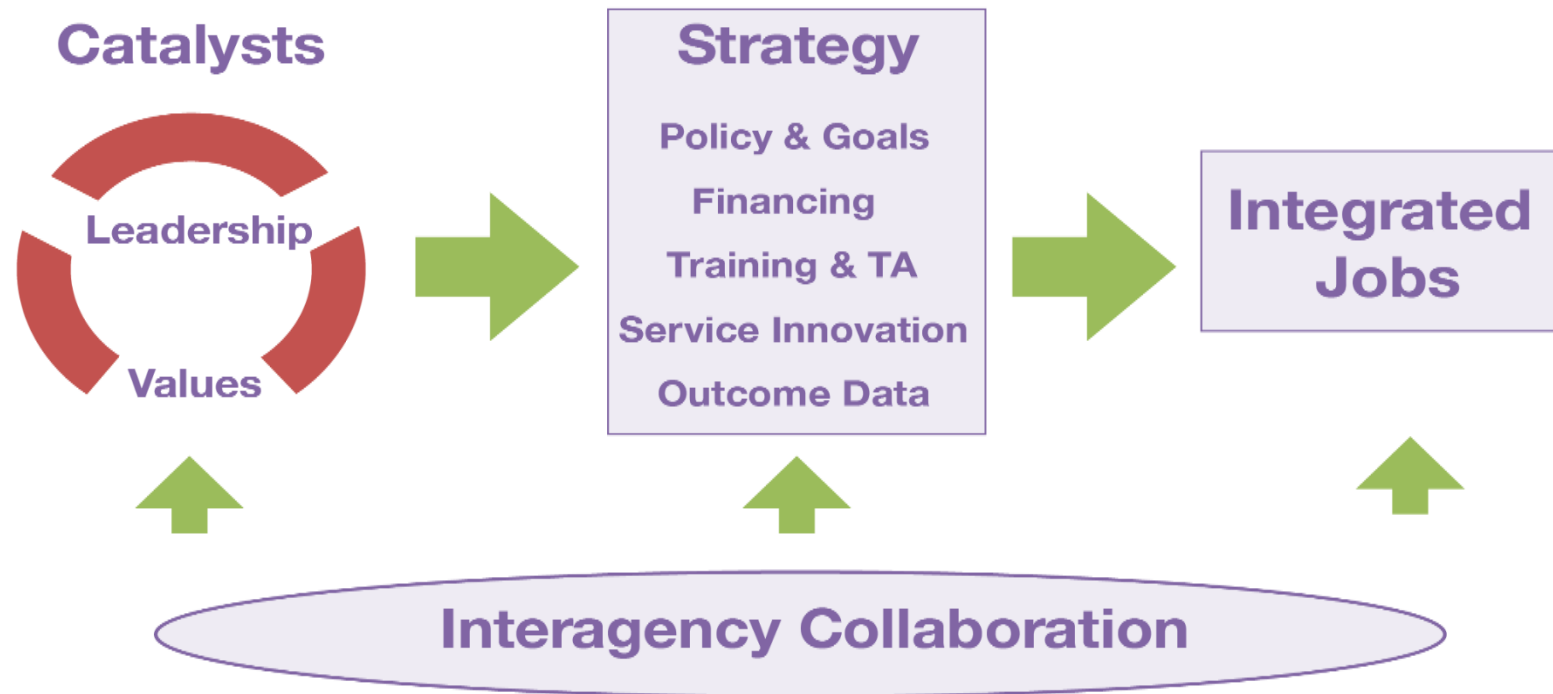
# SELN BELIEF STATEMENT

**We believe that employment is simply a person working at an individual job in a local business, earning the prevailing wage for that position or industry, alongside peers who do not have disabilities. The business is located within the community, and is not owned or managed by the support organization (or provider).**

**SELN 2013**



# Higher Performing States Framework



Hall et al (2007)

# Federal Pushes

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# NEW HCBS rules: The big deal stuff

- **HCB Settings Character**

- What is NOT community
- What is likely not community
- What is community

- **Person-centered planning**

- Codifies requirements

- **Conflict-free case management**

- Was just in guidance, now it is in rule:

<https://www.federalregister.gov/r/0938-A053>



# HCBS Rule

## Goal and Scope of Home and Community Based-Settings (HCBS) Rule

- To “ensure that individuals receiving services through HCBS programs have full access to the benefits of community living”
- To “further expand the opportunities for meaningful community integration in support of the goals of the ADA and the Supreme Court decision in Olmstead”



# HCBS Characteristics

**An outcome oriented definition that focuses on the nature and quality of individuals' experiences, including that the setting:**

- **Maximize opportunities for individuals to have access to the benefits of community living and the opportunity to receive services in the most integrated setting**
- **Is integrated in and supports access to the greater community;**





# HCBS Characteristics

- **Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources**
- **Is selected by the individual from among setting options, including non-disability specific settings**
- **Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid HCBS**

# Written Plan Reflects

- **Setting is chosen by the individual and is integrated in, and supports full access to the greater community**
- **Opportunities to seek employment and work in competitive integrated settings**
- **Opportunity to engage in community life, control personal resources, and receive services in the community to the same degree of access as individuals not receiving Medicaid HCBS**

# State Attention to Federal Pushes

- **CMS regulations bring renewed focus on person-centered planning and continued attention on individual integrated employment as an outcome of employment related services.**
- **States are re-evaluating and revising their current services and supports:**
  - developing new ways to ensure that a pathway to employment is viable through the right mix of services , while also focusing efforts on supports that help build connections and community engagement.

# State Realignment of Employment Supports

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**Medicaid Home and Community Based Services, as described by CMS are an integral part of Home and Community Based Services Options for states to use in their efforts to assure participants work/career success**

# State Themes

- **All of the states we will talk about have prioritized employment first and followed by the wrap around other adult life supports.**
- **most states are now breaking employment services into components to incentivize being more deliberate about getting people into jobs.**
- **A combination of hourly supports and benchmark or outcome payments for services.**

1915 C Home and Community Based  
Waiver Services Program initiated in  
1981

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# What is a HCBS Waiver??

- **Section 1915 (c) of the Social Security Act was changed to allow states to ask for waivers of existing Medicaid regulation**
- **The idea is that states can now use the Medicaid money for community services that would have been used for the person in an institution**
- **Thus, getting HCBS waiver services is tied to institutional eligibility**





# PA. Consolidated and Person/Family Directed Supports Waivers

## Community Participation Service

- **The purpose of the Community Participation Support service is to broaden the types of life-long learning experiences available to individuals receiving services.**
- **Providers must be prepared to offer community activities no less than 25% of the person's time in the program.**

# PA. Community Participation Service

- **The choice whether to participate in community activity, the amount and frequency will remain with the person.**
- **Flexibly wrap around and support community life secondary to employment, as a primary goal.**
- **This service involves participation in integrated community settings, in activities that involve persons without disabilities who are not paid or unpaid caregivers.**

# Pa. Community Participation Service

- **The service should result in the person:**
- **Increasing potential for employment;**
- **Developing and sustaining a range of valued social roles and relationships;**
- **Building natural supports;**
- **Increasing independence; and**
- **Experiencing meaningful community participation and inclusion.**

# Kentucky Supported Employment Definition

## Supports for Community Living (SCL) Waiver

- **Supported employment is paid, competitive employment at or above minimum wage**
- **occurs in a variety of integrated business environments.**
- **Phases of Supported Employment include: Job Development, Job Acquisition, Successful Placement and Long Term Follow up.**

# 1115 Research and Demonstration Waivers (available since 1962 – before Medicaid Existed!)

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# Tennessee Employment and Community First Choices

**Tennessee become the first state in the country to develop and implement an integrated, home and community based services program, aligning incentives toward promoting and supporting integrated, competitive employment and independent living as the first and preferred option for individuals with intellectual and developmental disabilities**

# Tennessee's Pathway to Employment

**The employment supports target a “pathway” to employment and career planning, focused on services that meet people wherever they are on their career path: from exploring their interests and skills, to on-the-job supports, to career advancement.**

# Tennessee Benefit Groups

**Two employment benefit groups were designed to offer available services and supports based on each person's specific assessed needs and goals.**

- Essential Supports for Employment and Independent Living, which targets people who are 21 or older who are living or want to live independently and pursue employment and community living goals**
- Comprehensive Supports for Employment and Community Living, which targets people who are 21 or older who need a more comprehensive level of support to meet their employment and community living goals.**



# Tennessee Employment and Community First Choices

- **Essential Supports for Employment and Independent Living \$30,000 Exception for emergency needs up to \$6,000 per year (hard cap of \$36,000)**
- **Comprehensive Supports for Employment and Community Living \$45,000 for low to moderate need \$60,000 for high need**

# Tennessee Employment and Community First Choices

## 14 different Employment Services/Supports

- Exploration
- Discovery
- Work Trials /work base experiences apprentices, etc.
- Job Dev Plan
- Self Employment Plan
- Job Dev Start Up

# Tennessee Employment and Community First Choices

- **Self-Employment Start Up**
- **Job Coaching for Individual Integrated Employment**
- **Job Coaching for Self-Employment**
- **Co-Worker Supports**
- **Supported Employment – Small Group**
- **Career Advancement**
- **Benefits Counseling**
- **Integrated Employment Path Services (Pre-Vocational)**

# State Plan Home and Community-Based Services

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# 1915(i) State plan HCBS

- **States can amend their state plans to offer HCBS as a state plan optional benefit.**
- **May have multiple 1915(i) State plan amendments (iSPAs)**
- **Breaks the “eligibility link” between HCBS and institutional care**

# Delaware Pathways Services

- ***Employment Navigators*** help participants access needed employment services and other supports. Navigators also help coordinate between various services, including other medical, social, and educational services, regardless of funding source.
- ***Career Exploration and Assessment*** helps participants identify career directions and helps them develop plans for employment in integrated settings. The service is time-limited to make sure that participants get moving toward their employment goals.
- ***Individual Supported Employment*** provides one-on-one supports to participants to help them get and maintain jobs or carry out self-employment in integrated settings.
- ***Small Group Supported Employment*** includes training activities provided in regular business, industry, and community settings for groups of two to four persons with disabilities. The service emphasizes rapid job search for competitive jobs and provides work experiences that help participants to develop strengths and skills.

# Delaware Pathways Services

- ***Benefits Counseling*** assists participants in understanding the impact of their wages on benefit programs.
- ***Stand By Me*** model to deliver ***Financial Coaching*** services to increase participants' capacity to understand and manage finances in order to increase their financial stability and expand their economic opportunities.
- ***Non-Medical Transportation*** is available to participants who have no other means to get to work. This service is offered in addition to the medical transportation that is provided as a Medicaid State Plan service.
- ***Personal Care*** provides assistance with activities of daily living needed by participants to get ready for work, while at the workplace, and/or in getting to and from work.
- ***Orientation and Mobility*** provides one-on-one training to participants to help them develop the skills needed to travel independently and safely through the use of white canes, guide dogs, or other equipment.
- ***Assistive Technology*** assists participants with selecting, acquiring, or using an assistive device to increase independence in the workplace.

# Community Life Engagement Supports

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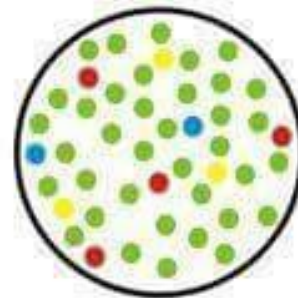
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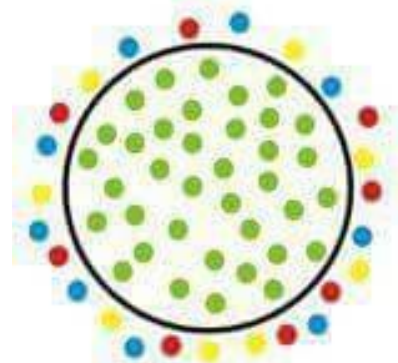
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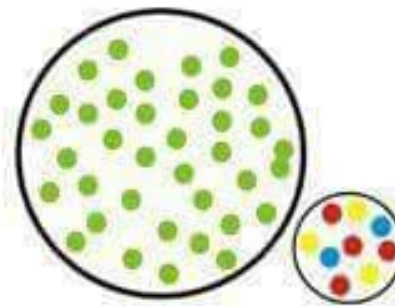
# From “Think Inclusive”:



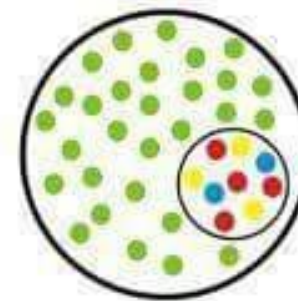
**Inclusion**



**Exclusion**



**Segregation**



**Integration**

# Montana Job Discovery and Preparation:

- **Job discovery is support and individual assistance in the development of a career profile and employment goal or career plan of which Job Preparation or Supported Employment may be an identified need.**

# Montana Job Discovery and Preparation:

- **If, after two years of receiving Job Preparation with no employment, the Job Discovery process is repeated and a community work experience completed. Refusal by the person to participate in the Job Discovery process must be clearly documented in the plan of care.**

# Montana Job Discovery and Preparation:

- **1. Person centered employment planning (assisting an individual in identifying wants and needs for supports and in developing a plan for achieving integrated employment),**
- **2. Job exploration,**
- **3. Job shadowing,**
- **4. Informational interviewing,**
- **5. Job and task analysis activities,**
- **6. Employment preparation (i.e. resume development, work procedures),**
- **7. Business plan development for self-employment,**
- **8. Volunteerism to assist the person in identifying job or career interests**

# Missouri Job Discovery:

- **Job discovery services include but are not limited to the following: Volunteerism, self-determination and self-advocacy (assisting an individual in identifying wants and needs for supports and in developing a plan for achieving integrated employment), job exploration, job shadowing, informational interviewing,**

# Missouri Job Discovery:

- **Job discovery is intended to be time-limited. The initial discovery process should not exceed a three month period and will result in the development of a career profile and employment goal or career plan. Additional monthly increments must be preauthorized by the Division of DD.**

# Virginia Community Day

- **Community Coaching is a service designed for individuals who need one to one support in order build a specific skill or set of skills to address a particular barrier(s) preventing a person from participating in activities of Community Engagement.**

# Virginia Community Day

- **Community Engagement**, as directed by the person and their person-centered plan, supports and fosters the ability of the individual to acquire, retain, or improve skills necessary to build positive social behavior, interpersonal competence, greater independence, employability and personal choice necessary to access typical activities and functions of community life such as those chosen by the general population



# Virginia Community Day

- **Group Day Services** : include skill building or supports for the acquisition, retention, or improvement of self-help, socialization, community integration, employability and adaptive skills. They provide opportunities for peer interactions, community integration, and enhancement of social networks. Supports may be provided to ensure an individual's health and safety

# A meaningful day/life

**SLEEP**



**WORK**



**Social**



# Questions





for your participation today!

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