Employment First In Maine

LOOKING BACK, KNOWING NOW, MOVING FORWARD

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Today’s Presenter

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Today’s Presentation

Maine’s Employment First Retrospective

Looking Back

State, Federal and Other Drivers of Employment First

Knowing Now

Expectations Create Opportunities for Renewal of Efforts

Moving Forward
Autumn (Fall) Is A Time to Prepare for Renewal

• In nature, autumn (fall) is a time when the earth goes to sleep, but it does so in order to prepare for the renewal that comes in the spring. This is all part of the cycle that allows for growth and the renewal of all things.

• It is time to renew the commitment to Employment 1st in Maine
Part One: Employment First in Maine

LOOKING BACK
Maine’s efforts to advance integrated community employment for people with IDD began in what year?

Maine’s efforts to advance integrated community employment for people with IDD began in what year?

- 1986
- 2000
- 2006
- 2012
Important Milestones In Last 34 Years

1986 How Many Milestones? 2020
Important Milestones In Last 34 Years (2)

1986  At Least 34 Milestones  2020
Why is History Important?

You can’t really know where you are going until you know where you have been.

Maya Angelou
The 80’s in Maine

1986: Federal law changes mean Vocational Rehabilitation agencies across the country begin to offer Supported Employment services

• Maine applies for and receives one of the first Supported Employment Systems Change Grants
• Led to start of the state’s first Inter-Agency Transition Council and seven regional Councils
• Created competitive integrated employment opportunities for individuals with very significant disabilities

1987: Maine establishes a Medicaid comprehensive Home and Community-Based Services Waiver (Section 21)

• Part of court settlement to close Pineland Institution
• KFI in Millinocket closes its sheltered workshop
The 90’s in Maine

1990: Independence Association conversion completed

1990 to 1995: Maine excels in increasing Supported Employment
- Maine achieved one of the highest levels of growth in supported employment
- More than double the national average for all states; only 4 states achieved higher growth

1995: Maine APSE was established

1999: Maine Medical Center Program Audit Report
- Identified the need for a clear vocational policy
- Called for a statewide plan with clear accountability for organizing and delivering vocational services
- Stressed importance of reorienting thinking towards a culture of work and self-sufficiency, starting with a fundamental belief that every individual has the ability to work.
The First Decade of the New Century

MAINE'S EMPLOYMENT FIRST EFFORTS
FROM 2000 TO 2010
Recognized that the Maine’s economy and employer community could benefit from people with IDD being part of the mainstream workforce.

Highlighted the desire of many people with IDD to be part of the workforce:

“...unemployment rates for people with disabilities are still four times higher than those in the general population. Yet over 80% of those same people say they want to work. It is difficult to understand these statistics when our economy is strong and many employers are experiencing increasing difficulty in recruiting and retraining employees.”

The commitment to community integration was clear, as was the belief that employment is a primary vehicle for facilitating this integration:

“Despite our best intentions, some of the specially designed programs have isolated many people with disabilities from their communities. Therefore, full integration has, for many, not been realized. In this culture, work is often the vehicle for such integration to occur- jobs bring opportunities to make friends, money earned brings opportunities for choices regarding where to live and play and with what supports.”
2000-2006  DHHS Vocational Policy Implementation

2000: Formalized technical assistance was made available to the eighteen sheltered workshops

- State created plan to close Freeport Town Square, the only state-operated sheltered workshop, which employed 38 individuals with disabilities at the time.

June, 2002: Freeport Town Square was closed and 79% of individuals obtained competitive integrated employment

- The process and outcomes used with Freeport Town Square were promoted by state as model approach for other sheltered workshop providers
- Providers working together; Funders working together

Not Rocket Science....Collaboration Science
2002: Competency-based certification training (originally called the “Maine Employment Curriculum”) for Supported Employment job coaches and employment specialists

2002: Provider trainings on organizational change and “conversion” manual

2002: DHHS policy clarification disallowing use of “Free-Standing Day Habilitation” (FSD) funding for sheltered workshops

2002-2006: DHHS makes bridge funding” available for sheltered workshops to assist them in successfully transitioning out of sheltered work

Too many people receiving “FSD” not able to access Supported Employment Funding

Vital financial support for change
Twenty Years Since 1986: The Legislature Takes Action in 2006

Public Law 570: “An Act to Create Employment Opportunities for People with Disabilities”

- Legislature wanted to enact legislation to increase the numbers of people with disabilities employed in the state of Maine
- Required each state agency to focus on hiring and promoting people with disabilities
- Required that the Department of Health and Human Services and the Department of Labor produce a report regarding employment opportunities for individuals with developmental disabilities
- Addressed the development of media and employer outreach campaigns to raise awareness and engage employers around employment of people with disabilities.
One Year After Passage of P.L. 570

• Report to Legislature Mandated by PL570 – January 1, 2007

• The state’s investment in non-work services was roughly four-times as much as its investment in supported employment services. Use of public funding was inconsistent with the legislature’s desire and the DHHS vocational policy adopted in October of 2000
Recommendations in Report to Legislature Required by P.L. 570

1. State agencies coordinating employment supports
2. Supported Employment providers learning and using best practices
3. Vocational Policy fully implemented
4. Outcomes expected from publicly funded employment supports should be clear and should be increased
5. Create a stakeholder group comprised of employers, providers, family, people in services, VR and DHHS to develop strategies to increase competitive employment
6. Continue with plans to implement a new waiver (Section 29) in July 2007 to provide employment services as an alternative for people receiving “FSD”
7. Develop a strategy to inform people with disabilities, families, and providers about the expansion of available services through the Benefits Counseling Program.
The Legislature Continues to Weigh In

Public Law Chapter 101 passed in 2007

• Focused on new MaineCare waiver (Section 29) replacing “FSD”

• Promoting Supported Employment
  • An information campaign about supported employment including how to pursue and maintain gainful employment in integrated community settings
  • Training and capacity building for provider agencies, including best practice guidelines
  • Training for DHHS and DOL staff to implement the transition
  • System of community services to promote expansion of supported employment within existing resources
  • A funding formula that provides incentives to providers to facilitate supported employment
State Agencies Act; Self-Advocates Speak Out

2007: DHHS and DOL Sign Memorandum of Understanding

• Commitment to a systems change process to implement an aligned service delivery system that promotes evidence-based practices

• Clarifies division of responsibilities between DHHS Case Managers and VR Counselors

November 2007: Maine’s State Self-Advocacy Organization (Standing Up For Us) releases statement supporting closure of sheltered workshops

January 2008: Section 29 waiver replaces “FSD” (Section 24 waiver), providing people in Day Habilitation new access to Supported Employment
2008: Community Supports Replaces Day Habilitation

New Section 29 Waiver including Community Supports replaces Section 24 “FSD” program

Existing Section 21 Waiver adds Community Supports
2008: Community Supports Replaces Day Habilitation

- Community Supports can be provided in a facility or in integrated community settings
- Community Supports providers not expected to also offer Supported Employment

Limits on Supported Employment services much lower:

- Community Supports: 1,300 hours/year
- Supported Employment Services: 300 hours/year
- Total Combined: 1,300 hours/year

Reimbursement rates per staff hour:
- $60 (Community Supports 1:3)
- $28 (Supported Employment 1:1)
2009

Last year Legislature approves state funding for sheltered workshops
The Most Recent Decade

MAINE’S EMPLOYMENT FIRST EFFORTS FROM 2010-2020
2010 Builds Further Momentum for Increasing Integrated Employment

**BRS Ends Long-Standing Waiting List** for Vocational Rehabilitation services

**Supported Employment Caps on Section 21 and 29 Waivers are Increased:**

- MaineCare increased the caps on Supported Employment to 600 hours per year for the Section 29 Waiver and 850 hours per year for the Section 21 Waiver.

**October 2010: Maine APSE hosts statewide Employment for All Conference**

**Update to 2000 Vocational Policy Released at Employment Summit with Over 300 in Attendance**
The Legislature Weighs In for a Third Time in Five Years

May 2011: LD 28 “Resolve to Improve Access to Employment Opportunities for Persons with Intellectual Disabilities and Autistic Disorders” is passed

- Separated Individual and Small Group Supported Employment
- Adjusted reimbursement rates to remove incentive to group people rather than support them individually
Clearly identifying individual integrated employment as the intended outcome of Section 21 and 29 Waiver employment supports.

Modifying definition of Community Supports to add clear language that these services can be provided in a variety of community settings and should support people to work in the most integrated setting in a job matched to a person’s strengths, skills, capabilities and priorities.

Adding Pathway to Employment (Career Planning) services to help people obtain, maintain and advance in integrated employment or self-employment; may include benefits planning, assessment for assistive technology and experiential learning opportunities to identify career options consistent with a person’s interests and skills.

Dividing Work Supports into two separate services: Individual and Small Group, per guidance from CMS. This includes clarifying that people receiving Work Supports-Individual must be paid no less than the state’s minimum wage and those receiving Work Supports-Group and earning subminimum wage must be reviewed every two years.

Establishing Work Supports-Small Group to be no more than 8 people working together, consistent with most recent federal guidance.
Lessons Learned on Change: Most Take the Path of Least Resistance

- Individualized competitive integrated employment is the optimal path…
- Not the path of least resistance
Legislature Passes the Employment First Maine Act

2013: PASSAGE OF THE EMPLOYMENT FIRST MAINE ACT (LD 1352)
What Maine’s Employment First Law Says

The Departments of Education, Health & Human Services and Labor will

✓ Include as a **core component of their services and supports**, the opportunity for persons with disabilities to acquire integrated community-based employment or customized employment

✓ Offer to each person with a disability, as **the first and preferred service or support option**, a choice of employment services that will support each person in acquiring integrated community-based employment or customized employment

  • "First and preferred service or support option" is defined in the law as **the first employment service option that is offered by a state agency, prior to the offer of other supports or services, including day services.**

✓ **Coordinate their efforts** to ensure that the programs directed, the funding managed, and the policies adopted support persons with disabilities in acquiring integrated community-based employment or customized employment

✓ **Adopt rules** necessary to implement the Employment First Maine Act.
2014 to 2016: DHHS Vocational Policy Updated


Maine became the only state in the country to have both legislation and policy directives designed to embrace and advance Employment First for all state residents with disabilities.
2014 to 2016: DHHS Vocational Policy and Waivers Updated

• Updated policy set expectations for disability service providers for the first time, creating a focus on outcomes, stating:

  “Providers of Services will be expected to meet or exceed all measurable employment outcomes developed by individual offices of DHHS.”

• 2015-2016: DHHS Renews and Updates the Section 21 and 29 Waivers and removes caps specific to Supported Employment

• 2015-2016: DHHS and Maine Medical Center’s Department of Vocational Services Collaborate to Launch a New “Work and Benefits Navigator Program”
2016

• Only one sheltered workshop remained in the state

• Only three other disability service providers were still using subminimum wage for Work Supports-Small Group

• As of FY2015, the increase in the number of Mainers with IDD entering Supported Employment was greater than the number entering Community Supports.

  32% of those with IDD served in daytime services (Supported Employment and/or Community Supports) were in Supported Employment, an increase from 27.5% achieved in FY 2014.

• Maine’s Vocational Rehabilitation agency was also experiencing success

  • Achieving a rehabilitation rate for people with IDD that was 3% higher than the national average
  • Continuing to maintain access to services without a wait
2020

• Law Passed Ending Subminimum Wage (LD1874) in June 2020

• People with disabilities provided testimony in support, led discussions and educated legislators
Recent decline in integrated employment rate contributes to need for revitalization and renewal of commitment to Employment First in Maine

- In 2015, Maine achieved 32% of people with IDD in integrated employment services
- By 2017, that percentage dropped to 18%
- In 2017, 81% of people with IDD were in facility-based or non-work services
Lessons Learned on Change:
Most Take the Path of Least Resistance (2)

- Individualized competitive integrated employment is the optimal path…
  - Not the path of least resistance
  - Requires more staff than group service models or no service
  - Requires better trained staff
  - Requires engagement with community employers
  - Increases transportation challenges

If we want people to have access to ALL of the benefits of integrated employment...what do we need to do?
Looking Back:

Time for Questions and Comments
Part Two: Employment First in Maine
What Can Help Employment First in Maine?

- Increased Collaboration by Providers of Services
- Increased Collaboration by Funders of Services
- Enhanced Engagement of Individuals with Disabilities and Their Allies
- Funding Structures that Value Integrated Employment Outcomes
- Changes to Person-Centered Planning & Some Service Rates
- HCBS Settings Rule
- WIOA
Workforce Innovation and Opportunity Act

• Requires Vocational Rehabilitation (VR) agencies to make Customized Employment available in every state

• Allows Supported Employment up 24 months (previously 18) before extension is required; for youth up to 48 months

• Provides pre-employment transition services to youth in schools, without requiring VR application or eligibility determination

• Requires VR agency to have a written agreement (e.g. MOU) with state IDD agency that defines roles and responsibilities including division of funding responsibilities

• Requires VR agency to have a formal written agreement (e.g. MOU) -to improve coordination- with state Medicaid agency, state agency and state agency that serves individuals with mental health diagnoses

Became Federal Law in July 2014

Increased Collaboration by Funders of Services
Competitive Integrated Employment is Now Everybody’s Mandate

- All settings (providers operating them) must ensure people receiving HCBS have opportunities to seek employment and work in competitive integrated settings.

This rule standard is **not:**

- Only applicable to supported employment settings/providers
- Only applicable to waivers with employment services

**Medicaid Home and Community-Based Settings Rule**

- **Increased Collaboration by Providers of Services**

**Became Federal Law in March 2014**

**State has until March 2023 to be in full compliance**
Opportunities without support are not opportunities

Focus on whether individuals have opportunities and support to take those opportunities if they need support
If no community job, would you like a job in the community?

Proportion of people who were reported not to have a job in the community and who reported they would like a job in the community.

46% of people surveyed
Impact of HCBS Settings Rule Standard

- Promoting collaboration on Competitive Integrated Employment opportunities and supports

- No longer the siloed job of Supported Employment providers and no one else

- As part of ensuing compliance for all HCBS settings, providers will need to show how they support people with opportunities to seek employment and work in competitive integrated settings
Person-Centered Planning Process Must:

- Provide necessary information and support to ensure that the individual is enabled to make informed choices and decisions.
- Be conducted by providing information in plain language and in a manner that is accessible to the individual.
- Include clear conflict-of-interest guidelines for all planning participants; providers of HCBS must not develop the person-centered service plan.
- Offer: (1) informed choice of service(s); (2) informed choice of setting(s) where each service will be received, including choice of non-disability specific setting(s).
- Once services and settings are selected, then choice of provider occurs from among providers who deliver the selected service(s) in the selected setting(s).
The Person-Centered Plan Must:

• Reflect the individual’s strengths and preferences

• Include individually identified goals and desired outcomes

• Reflect the services and supports (paid and unpaid) that will assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports.

• Reflect clinical and support needs as identified through an assessment

• Reflect risk factors and measures in place to minimize them, including individualized back-up plans and strategies when needed

• Be understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a manner that is accessible
Ensuring Reimbursement Rates Support HCBS Settings Rule Expectations

- Increased rates for community integrated service delivery

- More individualized supports than in facility-based settings

- Provides opportunities for facilitating community involvement and contribution that align with the person’s unique goals, interests, strengths and skills

  - Provides opportunity to facilitate and support relationships to develop with members of the broader community
Knowing Now:

Time for Questions and Comments
Part Three: Employment First in Maine
Autumn (Fall) Is A Time to Prepare for Renewal

• In nature, autumn (fall) is a time when the earth goes to sleep, but it does so in order to prepare for the renewal that comes in the spring. This is all part of the cycle that allows for growth and the renewal of all things.

• It is time to renew the commitment to Employment 1st in Maine
Finding Direction by Learning From the Past: June 2002

Freeport Town Square was closed
79% of individuals obtained integrated employment

- The process and outcomes used were promoted by state as model approach for other providers
  - **Providers working together**: Funders working together

*Not Rocket Science*....

*Collaboration Science*
What Could Increased Provider Collaboration on Employment First Look Like?

Leveraging the Medicaid HCBS Settings Rule
Residential/Community Support Providers Can Train Direct Support Staff To:

- Point out and discuss job options during community participation
- Support Job Shadows and Business Tours as part of community participation and connecting with members of the broader community
- Support people to complete career/employment workbooks

Helping People Understand the Choice to Work in Competitive Integrated Settings

HCBS Settings Rule makes it important to train Residential Provider Staff on Employment 1st.

Be Brave Enough to Start a Conversation that Matters.

-Margaret Wheatley
Assisting People to Complete Employment/Career Planning Workbooks

* Career Planning Workbook
* Employment Planning Workbook

Can be done in many services...
E.g. At home & during Community Supports
How Do Residential/Community Support Providers Ensure They Are Supporting People with CIE?

Residential/Community Support Providers Can Train Direct Support Staff To:

- Engage people about interest at appropriate opportunities during normal service delivery
- Ensure when interest is expressed, that information is conveyed to the case manager
- Ensure evidence of strong interests, existing skills and tasks potentially transferable to employment is documented and shared with case manager

Rapid Engagement (Response) by Case Manager Can Be Expected as Best Practice
How Do Residential/Community Support Providers Ensure They Are Supporting People with CIE? (2)

Residential/Community Support Provider Agencies Can:

* Support people to complete VR application/referral; provide transportation to (and attend if needed) VR intake meetings
* Use agency and staff/board connections to local employers to assist with Job Search/Job Development

Job Developers can collect “Trust Networks” from these Agencies/Staff/Board Members
WORKLINK PROGRAM:
San Francisco, CA

“Our system is not made to support people with significant disabilities to go to work...WorkLink is how we adapted it.”
Community-Based Discovery
As An Everyday Process

- **Community Support services that are 100% Community-Based**
  - Small ratios, 1:3
  - Hourly rates; $12.19/person/hour; maximum 30 hours/week

- Person-centered discovery on continuous basis
  - Start by encouraging the idea of work
  - Use service time/experience to verify interests & skills

- Focus service experience on strengthening skills beneficial for life and employment
  - Motivation, soft skills, mobility skills, communication skills

- Use volunteer sites for career exploration and skills training

- Focus includes addressing goals/needs beyond work.
## Braided Services & Funding
### WorkLink’s Toolbox

### DDS Community Day Supports Services
- 1:3 ratio/$12.19/hour/person
- Capped at 30 hours/week
- ISP written annually
- No designated program hours (flexible)
- Discovery & skill building
- Needs beyond work
  - love/happiness, health, home, community- all domains

### DDS-Job Coaching Services
- Long term job support
- 1:1 coaching based on need (avg. 20-30% of work hours)
- $30.82/hour

### VR/Supported Employment
- 1:1 Job Coaching $39.35
- Individual Placement
  - SE Milestones (Intake $360/Placement $720/Retention $720)
- Pre-placement services
  - Assessment or Training (1:1) $40/hr.
- Subtract VR support hrs. from DDS 30 hr. limit when VR services also being provided
Facilitated Small Group Discovery

THE DISCOVERY PROCESS LEADS TO A BLUEPRINT FOR EMPLOYMENT

A Blueprint for Employment:

- Summarizes what you learned about yourself during the discovery process
- Provides you with some structure as you take your first (or next) step towards employment

DISCOVERY  →  BLUEPRINT  →  JOB SEARCH PLAN  →  ACTION

22
Residential and Community Supports Providers Can:

- Ensure direct support staff are giving individuals positive encouragement and affirmation for working and going to work.
- Be flexible about when people can receive services, to support individual work schedules.
- Residential providers can support people with clothing, packed meals, getting to work on time, accommodating receipt of earned income (and reduction in unearned income) for room and board.
- Keep in good communication with job coaching agency about happenings outside of work that may impact the person’s performance at work.
How are Maine’s Supported Employment Providers Engaging Residential & Community Support Providers as Full Partners in Advancing Employment First?

If you are a provider and you do two or three of these services, how are Employment First principles and practices evident in your services other than supported employment?
Reaching the Goal

Commitment

Despite Setbacks

Sustained Leadership

Learning from Experience

Moving Forward Means Oiling the Wheels of Change Whenever They Slow Down or Begin to Squeak
For You, What Does A Renewed Commitment to Employment First Look Like?

AND WHAT ARE YOU DOING TO SUPPORT THE RENEWAL EFFORT?

WHAT ARE THE UNTAPPED OPPORTUNITIES YOU WILL TAP?
Moving Forward:

Time for Questions and Comments
For all those whose Careers have been our concern...the work goes on, the cause endures, the hope still lives, and the dream shall never die.

-Adapted from a quote by Senator Ted Kennedy (1980)
Why Is Employment 1st Worth the Effort? (2)

Far and away the best prize that life has to offer is the chance to work hard at work worth doing.

- Theodore Roosevelt (1903)
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