

**Intellectual Disability/Autism (ID/A) Waiver Employment Service Definition
Question and Answer Document Version 2**

***ID/A waivers include the Consolidated, Person/Family Directed Support (P/FDS) and
Community Living Waivers**

Question	Answer
Advanced Supported Employment	
<p>ASE Q. 1 What happens when the first two outcomes are met – Discovery Profile and Securing a job – but the third outcome – Retention of Job – is not being met? Does the provider continue with the third outcome – Retention of a Job – for however long it takes the individual to work that minimum of 5 hours/week for at least 4 months and have the outcome-based unit account for <i>all</i> of that time, or would it only be 4 months-worth? How does the provider sustain for this period of time if they can’t bill or get paid until this outcome is met? Or does the provider need to go back to the previous outcomes (2 and/or 1)?</p>	<p>Since providers will receive payments at the completion of each outcome, the provider must bill after the individual has been working at their job for 4 months at a minimum of 5 hours per week. If the third outcome – Retention of a Job – is not met, then the provider should re-evaluate the Discovery Profile and look for reasons why retention has not been met; for example, were the conditions for success evaluated prior to the job offer? The provider cannot bill until Outcome #3 – Retention of a Job – is met.</p> <p>The ISP team may also consider whether Supported Employment is a more appropriate service.</p>
<p>ASE Q. 2 [New] - Does an individual need to work for 4 consecutive months at a minimum of 5 hours per week for the provider to submit for the third outcome-based payment – Retention of a Job?</p>	<p>The Advanced Supported Employment service definition describes Outcome #3 – Retention of a Job – as follows: “Successful retention on the job, as evidenced by the participant working a minimum of 5 hours per week for at least 4 months.” In most circumstances, the 5 hours per week for 4 months will be counted consecutively. However, in rare circumstances where an individual is on leave from work (paid or unpaid), but is not officially separated from employment, ODP will allow for the provider to bill for Outcome #3 – Retention of a Job – once the individual has worked 5 hours per week for a total of a 4-month period (not counting the time that the individual was on leave since they would not have worked their minimum of 5 hours). If at any time the individual is officially separated from employment (by resignation, termination, etc.) prior to meeting the 4-month period minimum (consecutively or not consecutively), then the evidence of job retention is not met and</p>

	the provider may not bill for that component of ASE.
ASE Q. 3 How does the Advanced Supported Employment service work with individuals who want to start their own business?	<p>The information developed through Discovery, Outcome #1 of the Advanced Supported Employment service, allows for activities of typical life to be translated into possibilities for individualized competitive-integrated employment or self-employment.</p> <p>During the ISP meeting, the individual may indicate that they are interested in pursuing self-employment. If they meet the eligibility requirements and are authorized to receive Advanced Supported Employment services, they may tell their Discovery facilitator, at the outset of the service, that they are interested in pursuing self-employment.</p>
ASE Q. 4 Are providers required to have all 3 certificates from Marc Gold & Associates?	<p>To be recognized by ODP, the Advanced Supported Employment certification must meet all of the following criteria:</p> <ol style="list-style-type: none"> 1. Require at least 20 hours of classroom instruction; 2. Require at least 40 hours of supervised, mentored field work; 3. Include competency-based testing; 4. Require certification renewal at least every 3 years; and 5. Be nationally recognized and acceptable to ODP. <p>The Marc Gold and Associates Discovery Certificate meets these requirements. Providers may take the second and third trainings – Customized Employment Job Development and Systematic Instruction - in the Marc Gold & Associates series of Customized Employment trainings, but the Discovery Certificate alone meets these requirements.</p>
ASE Q. 5 Our staff went through the Griffin Hammis training. Is that an acceptable certificate for Advanced Supported Employment?	Griffin Hammis has developed an Advanced Supported Employment Training for providers who have not previously taken the GH 40-Hour ACRE course, which will qualify them to provide Advanced Supported Employment through ODP.

	<p>Providers who have completed Griffin Hammis' 40-hour ACRE training and wish to provide Advanced Supported Employment through the Consolidated and/or P/FDS Waiver may reach out to Griffin Hammis to schedule and complete the necessary amount of hours of additional field work that will meet ODP's minimum of 40 hours of supervised, mentored field work. Staff may work with Griffin Hammis to determine the exact number of hours they will need to meet ODP's 40-hour minimum as outlined in the service definition. This will be dependent upon how many hours of supervised, mentored field work the staff person underwent within the course of their ACRE training.</p> <p>The amount of hours will likely fall between a minimum of 8-10 additional hours (which OVR requires for providers to provide their Customized Employment Service) but could be up to 20 hours if the person needs those additional hours to reach ODP's requirement of 40 hours of supervised, mentored field work.</p> <p>Course instructors will issue any necessary corrective feedback on all assignments. After Griffin Hammis verifies that staff have successfully completed this component, they will issue the person an Advanced Supported Employment Certificate. Providers should submit this certificate to their Administrative Entity to officially qualify them to provide Advanced Supported Employment.</p> <p>Providers who satisfactorily complete all required assignments qualify for the ASE certificate and must continue to qualify by participating in Griffin Hammis's continuing education requirement of 24 hours over three years.</p>
<p>ASE Q. 6 Can Advanced Supported Employment begin at Job Acquisition if someone did not have the Discovery assessment?</p>	<p>In order for an individual to be eligible for Job Acquisition and Job Retention through Advanced Supported Employment, the individual must have received the Discovery service under Advanced Supported Employment through its completion</p>

	<p>or the completion of the Discovery/profile phase through OVR and had their case closed.</p>
<p>ASE Q. 7 The service definitions indicate that Supported Employment and Advanced Supported Employment cannot be authorized at the same time. Does this mean that the services cannot be received simultaneously on the same day (from 4:00PM – 5:00PM, for example) or that the authorizations cannot have overlapping days?</p>	<p>Advanced Supported Employment may not have authorized overlapping date segments with Supported Employment during an authorization period.</p> <p>For example, if an individual is authorized for Supported Employment from 7/1/17-10/1/17, they may not be authorized for Advanced Supported Employment for any point in time, including hours, days, or weeks, during that date segment.</p>
<p>ASE Q. 8 [New] May a provider submit their Discovery Portfolio (including the Profile, Customized Plan for Employment, and Visual Resume) that they create as part of their certification process for Outcome-Based Payment #1 – Discovery Portfolio?</p>	<p>The Advanced Supported Employment service definition states, “In addition to the education and experience requirements...staff who will work directly with the individual must also have an Advanced Supported Employment certification, which is in good standing, by an ODP-recognized training organization.”</p> <p>Since providers are required to be certified at the time they are rendering the Advanced Supported Employment service, providers who are in the process of becoming certified may not submit their Discovery Portfolio they complete as part of their certification for Outcome Based Payment #1. This is because they do not meet the provider qualification criteria at that point in time.</p> <p>However, a provider who is qualified to render Supported Employment who is becoming certified in Advanced Supported Employment may bill for Supported Employment – Career Assessment – throughout the course of their Advanced Supported Employment certification process.</p> <p>If the individual with whom the provider is conducting Discovery activities as part of their Advanced Supported Employment certification process is enrolled in the prevocational component of Community Participation Support,</p>

	<p>and the provider and staff are enrolled, qualified, and authorized to render Community Participation Support, the provider may bill for Community Participation Support during the course of their Advanced Supported Employment certification process.</p>
<p>ASE Q. 9 [New] In what type of settings may an individual receive Advanced Supported Employment?</p>	<p>Advanced Supported Employment may be provided in a number of settings including residential habilitation settings when the need is identified in the service plan.</p> <p>Job Acquisition and Job Retention may not occur in an Adult Training Facility (55 Pa. Code Chapter 2380) or a Vocational Facility (55 Pa. Code Chapter 2390).</p>
<p>ASE Q. 10 [New] – Are there any reasons for OVR case closure that ODP will not accept for the authorization of Advanced Supported Employment?</p>	<p>Advanced Supported Employment services can be authorized if OVR has closed the individual’s case unless the eligibility determination letter indicates that the case was closed for one of the following reasons:</p> <ul style="list-style-type: none"> • Unable to Locate or Contact: Individual has relocated or left the State without a forwarding address, or when the individual has not responded to repeated attempts to contact the individual by mail, telephone, text, or e-mail. • No Longer Interested in Receiving Services or Further Services: Individuals who choose not to participate or continue in their VR program at this time. Also use this code to indicate when an individual’s actions (or non-actions) make it impossible to begin or continue a VR program. Examples would include repeated failures to keep appointments for assessment, counseling, or other services. • Informed Choice: Individual has been determined ineligible for OVR services based on the individual’s informed choice to not pursue competitive integrated employment after completing an application for services and an intake interview, being counseled on the

	benefits of competitive integrated employment, and receiving an overview of OVR services available to support the individual
Supported Employment	
<p>SE Q. 1 We work with individuals in our Supported Employment program to help identify their employment goals and make them aware of opportunities that align with these goals. Sometimes this includes positions in our company. We are requesting verification that individuals have the right to choose our organization’s Job Support services while applying for or being hired into competitive integrated employment opportunities within our company.</p>	<p>It is not allowable for providers of Supported Employment services to also be the employer of the individual to whom they provide Supported Employment services. If providers employ individuals who are currently receiving Supported Employment services from their organization, this would be considered Small Group Employment, not competitive integrated employment. Small Group Employment may be provided on the grounds portion of the building that is not subject to licensure. Waiver funds may not be used to pay individuals’ wages.</p> <p>Providers may continue to serve the individuals that they employ with their organizations. We understand that this may be a significant change for provider organizations and will allow you 6 months from July 1, 2017 (January 1, 2018) to transition to the Small Group Employment service or help the individual find a new Supported Employment provider.</p> <p>Federal Financial Participation (FFP) through the Waiver may not be claimed for incentive payments, subsidies, or unrelated vocational expenses such as the following:</p> <ul style="list-style-type: none"> • Incentive payments made to an employer or individuals receiving services to encourage or subsidize the employer’s participation in a supported employment program • Payments that are passed through to individuals receiving Supported Employment; or • Payments for vocational training that are not directly related to an individual’s Supported Employment program.
<p>SE Q.2 Our organization has three individuals who are employees of our organization and</p>	<p>Providers may not pay individuals’ wages from fees they receive for providing them with</p>

<p>currently have Supported Employment services authorized in their plan. One of our staff is checking to see if the money used to pay them is from earned waiver or base services. If it is base services or other non-waiver revenue, am I understanding correctly that no changes need to be made, as their wages are not supported with waiver funds?</p>	<p>supports. Please check with your Administrative Entity to ensure they know what you are using base funds for.</p> <p>While Administrative Entities can make the determination as to how to use their base funds, ODP encourages Administrative Entities to use the same requirements that are written into the waivers regarding Federal Financial Participation below:</p> <p>Federal Financial Participation (FFP) through the Waiver may not be claimed for incentive payments, subsidies, or unrelated vocational expenses such as the following:</p> <ul style="list-style-type: none"> • Incentive payments made to an employer or individuals receiving services to encourage or subsidize the employer’s participation in a supported employment program • Payments that are passed through to individuals receiving Supported Employment; or • Payments for vocational training that are not directly related to an individual’s Supported Employment program.
<p>SE Q. 3 Is it permissible for providers to use different EINs so that they can provide SE while at the same time be the employer?</p>	<p>It is not allowable for providers of Supported Employment services to also be the employer of the individual to whom they provide Supported Employment services. A provider that uses multiple EINs is still considered the same entity and thus, may not provide Supported Employment services to individuals they employ.</p>
<p>SE Q. 4 Can providers bill for Supported Employment as soon as they start transporting the individual or can they only start billing once at the job site?</p>	<p>Transportation costs associated with driving the individual to and from activities related to Supported Employment are included in the rate for this service. As such, providers of Supported Employment services are responsible for any needed transportation of the individual to complete Supported Employment activities, with the exception of driving the individual to his or her place of employment. If providers are transporting an individual to their place of</p>

	<p>employment, they would bill for the Transportation service as defined in the waiver.</p> <p>The direct portion of Supported Employment may not be provided at the same time as the direct portion of the distinct Transportation service.</p>
<p>SE Q. 5 Our organization’s Supported Employment department provides services to an individual who is also employed by our organization. Her employment, however, is in a completely separate department, and the position meets the definition of competitive and integrated. Her employment does not meet the definition of Small Group Employment nor do we want to discontinue our SE services to her, simply because both she and her job coach receive a paycheck from the same organization.</p>	<p>An individual who works within a separate department from the one in which they receive Supported Employment still works for the same provider agency and thus, cannot receive Supported Employment services from the provider while being employed there.</p>
<p>SE Q. 6 When a provider provides Supported Employment services to an individual who is also an employee of the provider agency, can the provider bill for Supported Employment services until December 31, 2017?</p>	<p>Yes, it is allowable to bill Supported Employment services from July 1, 2017 through December 31, 2017 while providers transition individuals they employ to either Small Group Employment or to a Supported Employment provider who is not the individual’s employer.</p>
<p>SE Q. 7 Can providers use the Supported Employment service to help an individual secure and maintain a volunteer experience?</p>	<p>In most cases, Supported Employment services may not be used to help an individual secure and maintain a volunteer experience. Community Participation Support, however, may be used to help an individual secure and maintain a volunteer experience.</p> <p>The following situations would permit a provider to bill for either Advanced Supported Employment (at the Discovery phase), and providers of Supported Employment (at the Career Assessment phase) during the course of an individual’s volunteer experience:</p> <ul style="list-style-type: none"> • If the individual is <i>already</i> volunteering somewhere prior to receiving the Advanced or Supported Employment service. This would be a valid situation in which to bill for the Discovery or Career Assessment, because the volunteering would be considered a “typical life

	<p>experience” or “familiar activity” in which the staff would be observing and taking notes about the individual’s interests and skills in that situation, as well as potentially interviewing people with whom the individual volunteers. These observations would become part of the individual’s career assessment report or Discovery Profile. Advanced/Supported Employment cannot be used to help the individual learn how to successfully perform in the volunteer position, so providers should ensure that they document the scope of their interactions with the individual during the volunteer experience.</p> <ul style="list-style-type: none"> • If the staff is helping this individual <i>secure a one-time volunteer experience</i> that the individual or the individual’s family identified as within the individual’s interests as a means of gauging their interest and aptitude in a particular type of job. For example, if the individual and their family indicate that they love going to the mall during the holiday season (interest), and the employment specialist observes the individual folding laundry in their home (skills), they may arrange a one-time volunteer experience for the individual to participate in wrapping Christmas gifts at a local mall for a few hours. In Discovery terms, this is considered a “novel activity” and is intended to show what the individual’s first few days or weeks would be like at a new job. This would also be a valid activity for which to bill for Supported Employment – Career Assessment or Advanced Supported Employment – Discovery. This could even be considered a “situational assessment” within the context of Supported Employment – Career Assessment. The information gained would also become part of the
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	<p>individual’s career assessment report or Discovery Profile.</p> <p>Again, Supported Employment services may not be used to help an individual secure, learn, and maintain a volunteer experience.</p>
<p>SE Q. 8 Is vocational skill development a component of the Supported Employment service?</p>	<p>No. Vocational skill development is a component of the Community Participation Support service.</p>
<p>SE Q. 9 If an individual is job matched for a position with a business that is a nursing home, can we still provide Supported Employment and count the position as competitive integrated employment?</p>	<p>Yes. A provider may match an individual for a job in a nursing home or hospital while providing Supported Employment services. If the job that the individual obtains in the nursing home or hospital meets the definition of competitive integrated employment, the provider may continue to provide Supported Employment – Job Coaching and Support – to train the individual on specific job assignments, provide periodic or ongoing support as needed, and will deem the position as competitive integrated employment.</p> <p>The direct portion of Supported Employment – Job Finding or Development and Supported Employment – Job Coaching and Support services may not occur in an Adult Training Facility (55 Pa. Code Chapter 2380), a Vocational Facility (55 Pa. Code Chapter 2390), or any other licensed facility-based setting, to include the following:</p> <ul style="list-style-type: none"> • 6400 Community Homes for Individuals with an Intellectual Disability • 6500 Family Living Homes • 5310 Community Residential Rehabilitation Services for the Mentally Ill • 3800 Child Residential and Day Treatment Facilities
<p>SE Q. 10 If an individual has a 1:1 supervision requirement through the ODP Safer Options program and has residential services, how do employment services operate? Would an Employment Specialist provide the Supported Employment service while the 1:1 staff person</p>	<p>If an individual receives 1:1 supervision in their residential program, residential staff may support the individual in a 1:1 capacity at their job. Staff would bill for “Residential Habilitation Without Day.”</p>

<p>follows the guidelines of the Safer Option Program?</p>	<p>Yes, the Employment Specialist will provide the Supported Employment Service, and the residential staff person will provide the 1:1 supervision.</p>
<p>SE Q. 11 [New] Businesses with whom we are trying to negotiate jobs on behalf of the individuals we support are hesitant to allow our job coaches on site at their establishments.</p> <p>Can ODP mandate that businesses must allow job coaches on site at their establishments?</p>	<p>No, ODP cannot force businesses to allow job coaches to support individuals on site at their establishments.</p> <p>A crucial element of being a Supported Employment provider is cultivating relationships with employers. Developing positive, trusting relationships with businesses is key to helping the individuals ODP supports obtain jobs that are a good match for them and the business.</p> <p>ACRE Skill Competency #22 is developing relationships with businesses, which includes the following:</p> <ul style="list-style-type: none"> • Targeting and identifying businesses to contact based on job seekers’ needs, interests, and personal networks. • Use informational interviews, tours, and observations to better understand the business culture and build a relationship with the employer. • Providing information about disabilities, inclusive hiring, accommodations, etc. to potential employers. • Responding to businesses’ concerns about job seekers’ abilities, interests, and challenges in the workplace.

	<ul style="list-style-type: none"> • Maintaining the business perspective, emphasizing to employers the benefits of hiring a diverse staff. • Concluding employer contact with clear next steps (interview, job offer, situational assessment, etc.). <p>Some other examples of ways in which a Supported Employment provider can develop said relationships is by sharing information about incentives to businesses when hiring job seekers with disabilities (e.g., tax credits, on-the-job training, diversity goals), promoting their agency as a resource to help businesses meet their hiring needs while accurately explaining services, and using language and images that highlight skills, abilities, and interests of job seekers.</p> <p>In addition to referencing trainings and resources related to the topic of employer engagement, the Office of Vocational Rehabilitation (OVR) has a Business Services and Outreach Division that providers may reach out to for additional resources and best practice tips. Please stay tuned for resources related to the topic of employer engagement in the coming year. Materials will be posted on MyODP.org.</p>
<p>SE Q. 12 [New] Is due process required to be completed when an individual increases or decreases units between Supported Employment-Job Finding and Development and Supported Employment – Job Coaching and Support?</p>	<p>ODP Bulletin 00-08-05 states that any time a service is terminated, suspended, reduced or denied, an individual is entitled to due process.</p> <p>Due process would not be required to be completed for an individual who is moving from one component of a discrete service to another, in this case, from Job Finding and Development to Job Coaching and Support.</p> <p>An example of when due process would be warranted would be if person's Supported Employment service is reduced, suspended, or terminated.</p>
<p>SE Q. 13 [New] If a person wants to increase or decrease units between Supported Employment</p>	<p>Yes, a critical revision to the ISP is required if the increasing or decreasing of units between</p>

<p>– Job Finding and Development and Supported Employment – Job Coaching and Support – is a critical revision to their ISP required?</p>	<p>Supported Employment – Job Finding and Development and Supported Employment – Job Coaching and Support, occurs outside of the annual planning meeting.</p>
<p>SE Q. 14 [New] The DHS Bulletin Number 00-16-02: OVR Referral Process for Employment Related Services, effective April 1, 2016, addresses requirements for when individuals must be referred to OVR. Under the Supported Employment section, CMS clarified expectations including competitively employed and solely needing extended supports, competitively employed and seeking job assessment or job finding services to find a new job and utilizing the service for Vocational Skill Development. Considering the addition of SE Career Assessment (W7235) within the Consolidated and P/FDS Waiver Service Definitions, will the OVR Referral Process for Employment Related Services Bulletin be revised to include Career Assessment as an expectation?</p>	<p>The OVR/ODP Joint Referral Bulletin has been updated and released, and includes guidance on referrals for Supported Employment, of which Career Assessment is now a part. The Bulletin number is 00-19-01.</p>
<p>SE Q. 15 [New] The 11/1/18 waiver amendments say that Career Assessment may include discovery activities and may be provided within a variety of settings, including residential habilitation settings when identified as a need in the service plan, or vocational facilities and adult training facilities when these facilities are where the individual’s employment or volunteer experience occurred that is being assessed and when identified as a need in the service plan.</p> <p>Does this mean that the entire portion of Career Assessment can happen in a licensed prevocational facility or licensed adult training facility?</p>	<p>No, the entire portion of Career Assessment should not occur in a license prevocational facility or adult training facility.</p> <p>As part of the career assessment process, an employment specialist will want to have the opportunity to conduct informational interviews with people who know the individual well, including support staff, family, friends, etc. If the individual who is undergoing the Career Assessment would like their employment specialist to interview their former program specialist and direct support professional who supported them during the scope of their prevocational services that occurred in a licensed 2390 facility, and those staff and individuals still work at said 2390 facility, the employment specialist may travel to said 2390 facility to interview them. These informational interviews will offer the employment specialist a glimpse into the individual’s interests, skills, and work or volunteer history from the perspective of people who have a positive view of the individual whom</p>

	<p>they gave the employment specialist permission to interview.</p> <p>Conducting informational interviews is the only type of Career Assessment activity that should occur in a licensed 2380 or 2390 facility. All other components of career assessment should occur in community locations (i.e., situational assessments) or provider office settings (i.e. developing the career assessment report.)</p>
<p>SE Q. 16 [New] The waivers state that for individuals who are utilizing ongoing Job Coaching and Support, providers are expected to develop a fading plan or fading schedule that will address how use of this service will decrease as the individual’s productivity and independence on the job increases and as he or she develops unpaid supports through co-workers and other on-the-job resources. The waivers also say that ongoing use of Job Coaching and Support is limited to providing supports for individuals not otherwise available through the employer, such as support offered through regular supervisory channels, reasonable accommodation required under the Americans with Disabilities Act, available and appropriate natural supports, or on-the-job resources available to employees who do not have a disability.</p> <p>Our agency is in the process of developing a fade plan for an individual who has been receiving ongoing Job Coaching and Support for three years. We met with them and their ISP team, and the consensus is that they still need some on-the-job support in addition to what their co-workers and supervisors can provide. What should our agency consider in terms of how to address these additional needs on a consistent basis without the ongoing use of Job Coaching and Support, barring any periodic follow-up with the individual and their employer that may occur throughout the year?</p>	<p>A comprehensive fade plan includes how the Supported Employment provider will help the individual become more independent in performing their job tasks, foster relationships with co-workers, and develop natural supports. The provider may also establish a routine “check in” schedule with the management at the job to follow-up on how the placement is progressing and what, if any, adjustments may need to be made.</p> <p>The State Employment Leadership Network (SELN) has a guidance document related to the fading of job coaching supports. Some of the ways they recommend a job coach begins fading supports (which can be incorporated into a fade plan) are as follows:</p> <ul style="list-style-type: none"> • Observe co-worker social interactions and figure out ways to include the employee. • Get to know some co-workers and their interests, to find possible common interests with the employee. • Teach co-workers and supervisors how to best work with the employee. • Teach supervisors how to evaluate the employee’s progress. • Conduct a disability awareness or diversity awareness workshop for the company. • Look for ideas and talk with managers about creating new jobs for people your agency serves within the company.

	<ul style="list-style-type: none"> Analyze other jobs at the company, explore ways to increase work efficiency, or develop an evaluation tool that can be used for all the employees. <p>Additionally, the ISP team, with input from the Supported Employment provider, may consider if Companion services can be utilized to support the individual with elements that cannot or would be inappropriate to be provided with support from co-workers of other natural supports and that are outside the scope of a job coach.</p> <p>Companion services may be provided at the same time as Supported Employment services.</p> <p>As the SELN states in their guidance document, “Fading is important because it helps in facilitating social inclusion, allows the individual to receive supervision and training from the employer, and it helps to avoid segregation of the individual from his/her co-workers.” With a solid fade plan in place, the Supported Employment provider can ensure that the individual is living an everyday life through the multitude of benefits that come from a job that is a good match for both the job seeker and employer.</p>
<p>SE Q. 17 [New] May a person be authorized for both Job Finding or Development and Job Coaching and Support on their ISP at the same time in order to ensure a smooth transition from finding a job to starting a job?</p>	<p>Yes. A person may be authorized for both Job Finding or Development and Job Coaching and Support at the same time. AEs may anticipate a month’s worth of Job Coaching and Support in an effort to ensure a smooth transition between the process of securing a job (which occurs within the Job Finding or Development component) and starting a job (which occurs within the Job Coaching and Support component).</p>
<p>SE Q. 18 [New] May a person be authorized for both Job Finding or Development and Job</p>	<p>Yes. A person may be authorized for both Job Finding or Development and Job Coaching and</p>

<p>Coaching and Support on their ISP at the same time if they are currently employed and want to find a different job or an additional job?</p>	<p>Support at the same time if they are currently employed and would like to find a new job or an additional job. Job Finding or Development may be used to find the new or additional job, and Job Coaching and Support may be used to maintain the new or additional job.</p>
<p>SE Q. 19 [New] ODP’s ISP Manual states that authorized waiver services should begin within 45 calendar days after the effective date of the waiver enrollment date, unless otherwise indicated in the ISP (e.g. individual’s choice of provider delays service start, individual’s medical or personal situation impedes planned start date). What happens in a situation where, for example, an individual is authorized for Supported Employment, but it likely won’t start within 45 days due to them securing a job and reaching job stability through the Office of Vocational Rehabilitation?</p>	<p>An exception may be made to the 45-day rule for individuals who are newly enrolling in one of ODP’s waivers and working with OVR to obtain competitive-integrated employment.</p> <p>This exception only pertains to Supported Employment services.</p> <p>Any delays in the initiation of a service after 45 calendar days must be discussed with the individual and agreed to by the individual.</p>
<p>SE Q. 20 [New] - Are there any reasons for OVR case closure that ODP will not accept for the authorization of Supported Employment?</p>	<p>Supported Employment services can be authorized if OVR has closed the individual’s case unless the eligibility determination letter indicates that the case was closed for one of the following reasons:</p> <ul style="list-style-type: none"> • Unable to Locate or Contact: Individual has relocated or left the State without a forwarding address, or when the individual has not responded to repeated attempts to contact the individual by mail, telephone, text, or e-mail. • No Longer Interested in Receiving Services or Further Services: Individuals who choose not to participate or continue in their VR program at this time. Also use this code to indicate when an individual’s actions (or non-actions) make it impossible to begin or continue a VR program. Examples would include repeated failures to keep appointments for assessment, counseling, or other services.


	<ul style="list-style-type: none"> • Individual has been determined ineligible for OVR services based on the individual’s informed choice to not pursue competitive integrated employment after completing an application for services and an intake interview, being counseled on the benefits of competitive integrated employment, and receiving an overview of OVR services available to support the individual.
Small Group Employment	
<p>SGE Q. 1 May providers deliver Small Group Employment services at provider-owned sites?</p>	<p>Providers may deliver Small Group Employment services in any provider-owned, rented, or leased sites, as long as the sites are not subject to 55 Pa. Code Chapter 2380 or 2390 regulations.</p> <p>The Small Group Employment service has four options: Mobile Work Force, Work Station in Industry, Affirmative Industry, and Enclave.</p> <ul style="list-style-type: none"> • Mobile Work Force: A Mobile Work Force uses teams of individuals, supervised by a training/job supervisor, who conduct service activities away from an agency or facility. The provider agency contracts with an outside organization or business to perform maintenance, lawn care, janitorial services, or similar tasks and the individuals are paid by the provider. • Work Station in Industry: A Work Station in Industry involves individual or group


	<p>training of individuals at an industry site. Training is conducted by a provider training/job supervisor or by a representative of the industry, and is phased out as the individual(s) demonstrates job expertise and meets established production rates.</p> <ul style="list-style-type: none"> • Affirmative Industry: Affirmative Industry is operated as an integrated business, where employees who are disabled and non-disabled work together to carry out the job functions of the business. • Enclave: An Enclave is a business model where individuals who are disabled are employed by a business/industry to perform specific job functions while working alongside workers who are non-disabled.
<p>SGE Q. 2 Is it allowable for our organization to provide Mobile Workforce services under Small Group Employment in a licensed 2380 or 2390 facility, after hours?</p>	<p>No. Small Group Employment Services may not be rendered at an Adult Training Facility (55 Pa. Code Chapter 2380) or Vocational Facility (55 Pa. Code Chapter 2390), regardless of the time of day.</p>
<p>SGE Q. 3 We understand that Small Group Employment may not occur in sites where licensing occurs. Is this specific to 2380 and 2390 facilities? We have folks who work in the kitchen, laundry, or housekeeping departments in personal care homes, nursing facilities, etc. where they do get licensed. Is it okay for us to support individuals at these sites?</p>	<p>Yes. The two types of licensed facilities in which Small Group Employment may not occur are Adult Training Facilities (55 Pa. Code Chapter 2380) and Vocational Facilities (55 Pa. Code Chapter 2390).</p>
<p>SGE Q. 4 You state that Small Group Employment may be provided on the grounds or portion of the building that is not subject to licensure, but in the service definition for Mobile Work Force, it states that “The provider agency contracts with an outside organization or business to perform maintenance, lawn care, janitorial services, or similar tasks and the individuals are paid by the provider.” Can you please clarify what is meant by “outside organization”?</p>	<p>Individuals receiving the Small Group Employment Service must have a competitive integrated employment outcome in their plan, and providers must document how and when the provision of this service is expected to lead to competitive integrated employment.</p> <p>Small Group Employment Services consist of supporting individuals in transitioning into competitive integrated employment through work that occurs in a location other than a facility subject to 55 Pa. Code Chapter 2380 or 2390 regulations, regardless of whether the facility has</p>

<p>Is it allowable for our organization to be the employer of the Janitorial service and the provider in a Mobile Workforce / Small Group Employment service?</p>	<p>any affiliation with the Small Group Employment provider.</p> <p>An “outside organization” is one in which the provider is unaffiliated and shares no agency or business ownership. For example, a provider may contract with a bank to clean the lobby after hours or during operating hours, or contract with a local Dairy Queen to clean the eating area and/or do landscaping work during normal operating hours. While it is allowable for providers to render Mobile Work Force services at an organization with which they are affiliated, such as a satellite office, it is not ideal.</p> <p>In the spirit of ODP’s <i>Everyday Lives</i> philosophy, the CMS Home and Community Based Settings Rule, the Workforce Innovation and Opportunity Act, and in upholding our obligations to operate as an Employment First State, ODP wants to afford individuals with the most appropriate opportunities possible to gain the skills and experience to confidently transition into competitive integrated employment. Providing Mobile Work Force Services at a location unaffiliated with the Small Group Employment provider will allow individuals to experience what it is like to work in a community location and will help providers expand the realm of employers with which they may network to help facilitate job matches between their individuals and the employers. For these reasons, providing Mobile Workforce Services at a location affiliated with the provider is allowable, but not ideal.</p>
<p>SGE Q. 5 Under Affirmative Industry, for a provider to determine and comply with the 51% level of employees without a disability, are the service staff who provide the Small Group Employment service to be considered part of the 51% non-disabled ratio?</p>	<p>No. Affirmative Industry employees who provide Small Group Employment services are not considered in the determination of the ratio “of least 51% of the employees do not have a disability”.</p>
<p>SGE Q. 6 [New] We are experiencing some confusion related to who pays individuals’ wages within the context of each of the four options under Small Group Employment. Should the</p>	<p>Each of the four components under Small Group Employment contain context clues that can help a reader determine whether the provider or employer may pay individuals’ wages.</p>

<p>Small Group Employment provider pay individuals' wages, or the employer?</p>	<p>The Mobile Work Force component of SGE explicitly states that the provider pays the individuals' wages.</p> <p>Mobile Work Force: Uses teams of individuals, supervised by a training/job supervisor, who conduct service activities at a location away from an agency or facility. The provider agency contracts with an outside organization or business to perform maintenance, lawn care, janitorial services, or similar tasks and the individuals are paid by the provider.</p> <p>The additional three options do not explicitly state that the provider pays the wages.</p> <p>Work Station in Industry: Involves individual or group training of individuals at an industry site. Training is conducted by a provider training/job supervisor or by a representative of the industry, and is phased out as the individual(s) demonstrates job expertise and meets established work standards. A Work Station in Industry is an employment station arranged and supported by a provider within a community business or industry site, not within a licensed facility site. An example would be three seats on an assembly line within a computer chip assembly factory. The provider has a contract with the business to ensure that those three seats are filled by individuals with disabilities that they support.</p> <p>Affirmative Industry: A business that sells products or services where at least 51% of the employees do not have a disability.</p> <p>Enclave: A business model where individuals with a disability are employed by a business/industry to perform specific job functions while working alongside workers without disabilities.</p> <p>Since Work Station in Industry, Affirmative Industry, and Enclave do not explicitly state one way or the other whether the provider or the</p>
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	<p>employer pays individuals' wages, readers may infer that for these three circumstances, the provider <u>or</u> the employer may pay individuals' wages.</p>
<p>SGE Q. 7 [New] – Are there any reasons for OVR case closure that ODP will not accept for the authorization of Small Group Employment for people under age 25?</p>	<p>Small Group Employment services can be authorized if OVR has closed the individual's case unless the eligibility determination letter indicates that the case was closed for one of the following reasons:</p> <ul style="list-style-type: none"> • Unable to Locate or Contact: Individual has relocated or left the State without a forwarding address, or when the individual has not responded to repeated attempts to contact the individual by mail, telephone, text, or e-mail. • No Longer Interested in Receiving Services or Further Services: Individuals who choose not to participate or continue in their VR program at this time. Also use this code to indicate when an individual's actions (or non-actions) make it impossible to begin or continue a VR program. Examples would include repeated failures to keep appointments for assessment, counseling, or other services.
<p>Community Participation Support</p>	
<p>CPS Q. 1 Who is required to have the ACRE or CESP training when providing Community Participation Support?</p>	<p>For programs providing prevocational training to individuals, program specialists and supervisors of direct supports professionals must have one of the following by 7/1/19 or within 6 months of hire if hired after 1/1/19:</p> <ul style="list-style-type: none"> • Hold a Certified Employment Support Professional (CESP) credential from the Association of People Supporting Employment First (APSE), or • Have been awarded a Basic Employment Services Certificate of Achievement or a Professional Certificate of Achievement in Employment Services from an Association of Community Rehabilitation

	<p>Educators (ACRE) organizational member that has ACRE-approved training.</p> <p>This applies to the following providers:</p> <ul style="list-style-type: none"> • In licensed 2390 prevocational facilities, all program specialists and all staff that supervise direct support professionals must have the ACRE or CESP. • In a 2380 facilities supporting individuals with vocational or employment outcomes in their ISPs and/or are engaged in subminimum wage work, contract or piece work activities, the responsible program specialists and all staff that supervise direct support professionals who support that individual must have the ACRE or CESP. • Non-facility Community Participation Support agency providers who provide prevocational support in community settings, supporting individuals with vocational or employment outcomes in their ISPs, the responsible program specialists and all staff that supervise direct support professionals who support that individual must have the ACRE or CESP. • Any individual Non-facility Community Participation Support providers who provide prevocational support in community settings, supporting individuals with vocational or employment outcomes must have the ACRE or CESP. <p> If program specialists and supervisors of direct support professionals work solely with individuals who do not receive prevocational training, these qualification requirements do not need to be met.</p>
<p>CPS Q. 2 We currently provide some paid work to our individuals under a 14c certificate as part of our Adult Training Facility activities. Additionally, some individuals who receive</p>	<p>ODP considers the paid work experiences you describe prevocational services. Therefore, staff are required to meet the qualification requirements to provide prevocational services.</p>

<p>services at our Adult Training Facility perform work at minimum wage from time to time.</p> <p>Will our staff be required to take just the ODP training on Community Participation Support, or will they also be required to be certified either through the CESP exam or the ACRE courses? And if so, will this certification be required for the direct care staff or just for supervisors?</p>	<p>Please refer to the provider qualification requirements for Community Participation Support in the approved waivers and CPS Q.1.</p> <p> If program specialists and supervisors of direct support professionals work solely with individuals who do not receive prevocational training, these qualification requirements do not need to be met.</p>
<p>CPS Q. 3 What are the OVR referral requirements for individuals under the age of 25?</p>	<p>Section 511 of the Rehabilitation Act as amended by the Workforce Innovation and Opportunity Act (WIOA) has placed restrictions on the payment of subminimum wage to youth under the age of 25. After July 22, 2016, no one under the age of 25 can receive subminimum wage without first being referred to OVR.</p> <p>“Prevocational Services” is a component of Community Participation Support. It is the component of this service that is subject to OVR referral requirements for individuals under the age of 25.</p> <p>Individuals who are under the age of 25 may not receive prevocational services that pay subminimum wage unless they have been referred to OVR and OVR has closed the case, or the individual has been determined ineligible for OVR services.</p> <p>The requirement that individuals under the age of 25 be referred to OVR applies to prevocational services that pay subminimum wage and are provided in one of the following locations, which is covered by a 14c certificate that allows the employer to pay a subminimum wage:</p> <ul style="list-style-type: none"> • A licensed Vocational Facility (55 Pa. Code Chapter 2390), • A licensed Adult Training Facility (55 Pa. Code Chapter 2380), • A Community Hub, or • A Community Location.

	<p>Individuals who are under the age of 25 are <u>not required to be referred to OVR</u> when they will be working on skill development and/or participating in activities for which they <u>will not receive subminimum wage</u>. It is not allowable, however, for these prevocational activities to occur in a licensed vocational facility unless OVR has closed their case or they have been determined ineligible for OVR services.</p>
<p>CPS Q. 4 [New] – Are there any reasons for OVR case closure that ODP will not accept for the authorization of Community Participation Support - prevocational services that pay subminimum wage and/or will occur in a licensed prevocational facility (55 Pa. Code Chapter 2390)for individuals under the age of 25?</p>	<p>Community Participation Support – prevocational services that pay subminimum wage can be authorized if OVR has closed the individual’s case unless the eligibility determination letter indicates that the case was closed for one the following reasons:</p> <ul style="list-style-type: none"> • Unable to Locate or Contact: Individual has relocated or left the State without a forwarding address, or when the individual has not responded to repeated attempts to contact the individual by mail, telephone, text, or e-mail. • No Longer Interested in Receiving Services or Further Services: Individuals who choose not to participate or continue in their VR program at this time. Also use this code to indicate when an individual’s actions (or non-actions) make it impossible to begin or continue a VR program. Examples would include repeated failures to keep appointments for assessment, counseling, or other services. • Achieved competitive integrated employment outcome.
<p>CPS Q. 5 What if someone under age 25 began working for subminimum wage prior to July 22, 2016? May they continue in that setting without their supports coordinator referring them to OVR?</p>	<p>Yes. If an individual was under age 25 on July 22, 2016 and began making subminimum wage before that date, they may continue in that program without being referred to OVR. If at any point they would like to work in the community, their supports coordinator should refer them to OVR.</p> <p>If an individual under 25 began making subminimum wage <i>after July 22, 2016</i>, they</p>

	<p>should have been referred to OVR and received an eligibility determination (case closure or ineligible for services) prior to making subminimum wage.</p> <p>Providers/employers are strongly encouraged to maintain copies of documentation that individuals received an OVR eligibility determination (case closure or ineligible for services), as well as the additional requirements that must be met before an individual under age 25 begins making subminimum wage, as outlined in the U.S. Department of Labor’s Field Assistance Bulletin 2016-2.</p> <p>To continue making subminimum wage, all individuals, regardless of age, must attend annual career counseling and information sessions that OVR conducts with all individuals currently making subminimum wage. OVR will arrange these sessions with providers/employers.</p> <p>Please see the U.S. Department of Labor’s Field Assistance Bulletin 2016-2 that outlines in more detail the requirements related to youth under age 25 and the payment of subminimum wage.</p>
<p>CPS Q. 6 May an individual under age 25 receive Community Participation Support while also receiving employment services through OVR?</p>	<p>Yes, an individual under age 25 may receive Community Participation Support in addition to the employment services they are receiving from OVR in a Community Location, Community Hub, and/or an Adult Training Facility (55 Pa. Code Chapter 2380), as long as they are not participating in prevocational services and making subminimum wage.</p> <p>The exception is that an individual under age 25 may not receive Community Participation Support in a licensed Vocational Facility (55 Pa. Code Chapter 2390) in addition to the employment services they are receiving from OVR.</p>

CPS Q. 7 [New] Does an individual need to have an employment outcome in order to receive the prevocational component of CPS?

Yes. All people receiving the prevocational component of CPS must have a competitive integrated employment outcome included in their service plan. There must be documentation in the ISP regarding how and when the provision of prevocational services is expected to lead to competitive integrated employment.