



MENTAL RETARDATION BULLETIN

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF PUBLIC WELFARE

DATE OF ISSUE:
December 20, 2005

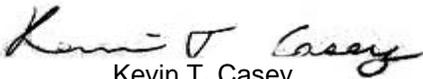
EFFECTIVE DATE:
IMMEDIATELY

NUMBER:
00-05-07

SUBJECT:

Office of Mental Retardation
Policy on Employment

BY:


Kevin T. Casey
Deputy Secretary for Mental Retardation

SCOPE:

County Mental Health/Mental Retardation Administrators
Base Service Unit Directors
Administrative Entity Director
Vocational Facility Directors
Adult Training Facility Directors
Non-State Operated Intermediate Care Facilities for the Mentally Retarded (ICFs/MR) Directors
State Operated ICFs/MR Directors
Community Residential Mental Retardation Facility Directors
Family Living Directors

PURPOSE:

The purpose of this Bulletin is to update the Office of Mental Retardation (OMR) policy on employment.

BACKGROUND:

OMR issued its policy on employment for persons with mental retardation on December 26, 1990 under Mental Retardation (MR) Bulletin 6000-90-06 entitled, "*Policy on Employment for Persons with Mental Retardation*". The policy is founded on the belief that persons with mental retardation must have access to community employment opportunities and that employment opportunities should always be considered before any less integrated, more restrictive programs.

This bulletin reemphasizes our commitment to the principles of the existing employment policy and to clarify how current Federal and State initiatives are being implemented to promote employment outcomes for people in the MR system, regardless of their living arrangement.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

Regional Program Manager

Continuing emphasis on employment is still needed. Supported employment options have not been developed to the extent anticipated by MR Bulletin 6000-90-06. Students transitioning into adult life have not found job opportunities and employment options still need to be considered before less integrated, more restrictive programs.

DISCUSSION:

Policy on Employment

Statement of Policy as per 55 Pa Code §6000.171 states that persons with MR who are of legal working age should have access to employment and the training necessary to sustain employment.

Access to employment applies regardless of a person's living arrangement or type of service funding. OMR's policy includes persons receiving base funded services and those enrolled in the Home and Community Based Services (HCBS) waivers. This also applies to people in State and Non-State ICFs/MR.

OMR defines employment as a job in the community that pays at least minimum wage, where the worker has the opportunity to interact with individuals without a disability and has access to employee benefits when available. Employment can be part or full-time and includes self-employment.

Services and supports necessary to sustain employment are referred to as employment supports in this bulletin. Employment supports include transitional work, job finding and job support as currently defined in MR Bulletin 00-03-12 entitled, "*Service Definitions and Procedure Codes for Healthcare and Non-Healthcare Waiver and Base Services*", issued December 31, 2003. Employment supports also include related services such as transportation to the job and assistance provided by families and direct support professionals in preparing individuals for working in the community. Various types of employment support are approved within the Consolidated and Person Family Directed Support (PFDS) waivers.

Available Funding

As per MR Bulletin 6000-90-06, the Statement of Policy listed in 55 Pa Code §6000.172, encourages county MH/MR programs and service providers to redirect existing resources from traditional adult day services to community integrated employment opportunities.

OMR has disseminated standard practices to ensure that people have access to information on employment options and the opportunity to consider employment as part of their individual supports planning and budgeting process. Based on needs identified in the Prioritization of Urgency of Need for Services (PUNS), OMR has also targeted funding for employment services for youth and young adults between the ages of 16 and 26 in transition to adult life. These initiatives will be monitored by the regional offices and reviewed as part of the OMR Quality Management Framework.

Training and Technical Assistance

As indicated in Statement of Policy, 55 Pa Code §6000.173, OMR will work with available resources in providing training and technical assistance for counties and provider agencies.

OMR is currently partnering with the Department of Labor and Industry , Office of Vocational Rehabilitation (OVR), the Pennsylvania Department of Education, Bureau of Special Education (BSE), and statewide provider associations in providing employment related training and technical assistance.

Information on training and technical assistance opportunities is being disseminated through a statewide network that includes county MH/MR programs and state centers. OMR expects to expand this network to individuals, families, direct support professionals, supports coordinators, employers and agencies.

Technical assistance is available through the *“Employment Manual for the Community Mental Retardation Services Program”* and an *“Employment Tool Kit”* designed primarily for supports coordinators. Copies of the Manual and Tool Kit are available by contacting your Regional OMR or the OMR customer service hotline at 1-888-565-9435.

Priority for Youth and Young Adults in Transition to Adult Life

Statement of Policy as per 55 Pa Code §6000.684 emphasizes that employment for recent high school graduates who received special education services needs to be a high priority at the state and local level.

OMR will continue to partner with OVR and BSE in coordinating employment supports for students and young adults as they transition into adult life. OMR will also continue to support county programs in forming coalitions that focus on improving employment outcomes through the development of standard practices in collaboration with advocates and area schools, provider organizations and District OVR agencies.

PUNS is particularly important for students moving into the adult MR system. PUNS is a tool that enables the county and the state to know the number of people who are waiting for supports or services, what kinds of services they need and the urgency of that need. PUNS is expected to be completed for students by the time they reach age 14. Students graduating with an unmet need for employment or other services are expected to be indicated on PUNS. To ensure that students in transition have a high priority for new funding, OMR will modify PUNS to permit an emergency need designation under certain conditions.

Referral

Pursuant to 1990 Statement of Policy as per 55 Pa Code §6000.176, the MR service system is expected to work in cooperation with District OVR offices for employment services and support. OVR provides time limited support to eligible applicants in continuing education and supported employment, along with financial and technical assistance for employers.

County MH/MR programs coordinate funding with OVR pursuant to procedures established in MR Bulletin 00-95-23 entitled, *“Coordination of Vocational Training and Supported Employment Services under the 2176 Waiver”*. Similar procedures need to

be followed for persons funded outside the waiver. Persons living in State and Non-State ICFs/MR will have OVR employment services coordinated by the ICF/MR.

OVR and other community agencies offer important services related to employment. County MH/MR programs and employment service providers must work in conjunction with these agencies to maximize available resources. The County Assistance Office has information and applications for Medical Assistance for Workers with Disabilities (MAWD). The PA CareerLink offers job training and employment opportunities for people in the community. Benefits Planning Assistance Outreach offices (BPAO) advise people on how earned income impacts their Social Security and other benefits such as food stamps and energy assistance. Employment networks under the *“Ticket to Work”* and *“Work Incentives Act”* have begun to identify themselves as a source of job training. Public transportation authorities provide an array of options that offer people transportation to and from work.

Follow-Along Services

As indicated in the 1990 Statement of Policy listed in 55 Pa Code, §6000.177, follow-along services should be available on an ongoing basis to all persons with mental retardation who need them to maintain employment.

People receiving supported employment through OVR can obtain follow-along supported employment services from the county MR program. Follow-along funding can include job related services such as transportation, that are funded under the Consolidated and PFDS waivers, as well as habilitation supplies and equipment needed to sustain employment. ICF/MR funding for follow-along service can be authorized as a habilitation service under active treatment in accordance with Federal regulations.

The frequency and duration of follow-along services must be indicated in the person’s Individual Service Plan (ISP) in keeping with the individual’s needs and current waiver service codes and definitions. In order for OVR to authorize supported employment services, Counties and ICFs/MR need to be prepared to authorize follow-along and other related services if OVR funding is not available.

Performance Expectations

Statement of Policy listed in 55 Pa Code §6000.178, indicates that contracts with employment service providers be negotiated to contain clear performance expectations in terms of individual progress and outcomes toward competitive employment, job retention, etc.

Performance measures related to employment are being developed as part of the OMR Quality Framework. Based on our success in achieving employment outcomes, OMR continues to focus on enhancing employment opportunities and ensuring that necessary resources are available.

County Responsibilities

As indicated in Statement of Policy as per 55 Pa Code §6000.179, OMR and county MH/MR programs play a key role in promoting employment outcomes. OMR will continue to rely on county programs to promote employment outcomes through:

- Establishment of standard practices with OVR, school districts and other agencies so that area resources are used as efficiently as possible in achieving employment outcomes.
- Individualized service planning and budget practices that promote an employment first approach.
- Information sharing on employment.
- Identification of a sufficient number of qualified employment support providers for individuals to choose.
- Communities and coalitions that promote employment outcomes for youth and young adults transitioning to adult life.
- Assessment, service coordination and monitoring that ensures people receiving vocational training have the opportunity to progress to higher level vocational programs and community employment.
- The identification and reduction of barriers to employment in the service system.
- Outreach and support to businesses and industries that employ people with disabilities.
- Continuously improving employment supports by analysis of information and employment performance data.