



**Montgomery County Commission on People with Disabilities
Developmental Disabilities Advisory Committee
Meeting Summary – May 13th, 2019**

Susan Hartung, Co-Chair • Larry Bram, Co-Chair

Welcome

Minutes from past meetings can be found online at:
www.montgomerycountymd.gov/HHS-Program/ADS/CPWD/CPWDIndex.html, under the tab
Developmental Disability Advisory Committee.

Discussion on the Impact of Changes at DDA on Employment – Patricia Sastoque, Deputy Director – Programs, and Staci Jones, DDA Statewide Career and Employment Services Coordinator, DDA

Handouts sent prior to the meeting:

- **Meaningful Day Service Updates – Webinar:** <https://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MeaningfulDayUpdatesMarch2019.pdf>
- **Meaningful Day Services Frequently Asked Questions:**
https://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MeaningfulDayFAQApproved4_11_19.pdf
- **Workforce Innovation and Opportunities Act:** https://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/Workforce_Innovation_and_Opportunity_Act2.pdf

Available Today	Effective July 1, 2020
Supported Employment (PHASING OUT)	Employment Services <ul style="list-style-type: none"> • Discovery • Job Development • Follow Along Supports • On-going Job Supports • Co-worker Supports • Self-Employment Development Supports
Employment Discovery and Customization Services (PHASING OUT)	
Career Exploration <ul style="list-style-type: none"> • Facility Based Supports • Small Group Supports • Large Group Supports 	Career Exploration <ul style="list-style-type: none"> • Facility Based Supports • Small Group Supports • Large Group Supports
Community Development Services	Community Development Services
Day Habilitation	Day Habilitation
Medical Day Care	Medical Day Care

Staci Jones gave an update on the current employment services provided by DDA and the changes that will occur next year. DDA is several years into a transformation of their whole system. Two new employment services will be added to the Community Supports Waiver and the Community Pathways Waiver. Over the past six months DDA has held a number of webinars for stakeholders to provide an outline of current day and employment services compared to the new menu of services that will be available after July 2020.

Supported Employment and Employment Discovery and Customization Services will be phased out by the end of June 2020. Supported Employment served as a way to provide various services with no expectations for outcomes relating to employment and supported people who were not working, who were interested in work, who were in sheltered work, who were interested in obtaining different employment, and who were not competitively employed. The new menu of services will be more focused on outcomes and set up in a very different way to support people who are competitively employed. Current day and employment services are based on a daily rate with the new services based on an hourly rate or milestone payments depending on the service.

The new employment Discovery employment service is designed to provide individual support to people to help them discover all the things they need to know before seeking employment. Job Development will take the information from Discovery and help make a good job match in the community with an employer. Discovery is known as a milestone payment and the provider would do the work and then submit for payment thru DDA. Job Development is an hourly service. Co-worker Supports is a monthly funding amount that goes directly to an employer to help provide supports above and beyond what they would provide to a new employee during the first three months of employment. Reasonable accommodations should be provided by the employer.

Centers for Medicare & Medicaid Services (CMS) is requiring employment services to be focused on competitive, integrated employment as opposed to other types of employment. DDA is working to make sure service definitions line up with CMS' guidance and other factors such as DDA's Employment First philosophy. The new employment services were included in the waiver packet submitted in July 2018. Career Exploration allows for individuals working in non-competitive jobs to have an opportunity to continue working in those jobs. Those types of outcomes would not fall under employment services because according to CMS it is not considered competitive, integrated employment. After July 1, 2020, Career Exploration can be authorized for an individual for up to 720 hours (or 90 days) for their plan year. Between now and July 1, 2020, if an individual is engaged in an employment option that does not meet competitive, integrated requirements that individual can be re-authorized for Career Exploration on a yearly basis as long as that person still has an employment outcome in their Person-Centered Plan (PCP) and their team continues to address barriers to competitive employment. New individuals after July 1, 2020 are authorized only once for Career Exploration, even if they do not use the full 720 hours during their plan year. Extenuating circumstances will be reviewed if the individual is unable to use their hours due to a situation such as illness. CMS wanted DDA to address how they were going to ensure individuals did not stay in Career Exploration forever.

After July 1, 2020, two employment services will be added that specifically support people that competitively employed. Follow Along Supports is a new service a person can receive on a monthly basis. Throughout the month an individual should receive at least two direct supports from their provider to help maintain employment. Providers will bill on a monthly basis to receive a rate for that monthly service. Some individuals may only need minimal supports to maintain their employment. If more supports are necessary, Follow Along Supports can be used in conjunction with Ongoing Job Supports that are provided on an hourly basis. In order to receive those services, the individual must be employed in a competitive and integrated setting.

Over the last year, DDA has met with stakeholders, workgroups, national subject matter experts, and other state agencies to find the best way to provide guidance on and define competitive employment. To determine if an individual is employed in a competitive, integrated setting they and their team, family, employment service provider, and/or Coordinator of Community Services (CCS) would fill out a Competitive Integrated Employment (CIE) attestation form and include it with their PCP. The attestation form can be found on slides 15 through 25 in the Meaningful Day Service Updates – Webinar **Meaningful Day Service Updates – Webinar**: <https://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MeaningfulDayUpdatesMarch2019.pdf>

The CIE attestation checklist was created with the Division of Rehabilitative Services (DORS) so that they and DDA are using the same, common language. DDA will be working with DORS to make sure their assessments match. An approved DORS assessment does not automatically authorize someone for services. The CIE attestation checklist in the PowerPoint will be made into an actual policy.

CCS agencies should be adding these new employment services to PCP's during their annual planning meetings, so the plans do not need to be updated after July 1, 2020. Employment plans should be put in place during this transition phase.

Staci encouraged attendees to listen to the webinar on Meaningful Day Service Updates: <https://www.youtube.com/watch?v=0iQ1vyX53IY>.

Questions:

Have employment environments changed over the last several years to allow individuals with more significant disabilities to be in a competitive, integrated setting? This change was made based on stakeholder feedback. Individuals did not want to be limited in their employment. No matter what service a person is receiving from DDA, all services have to be provided in an integrated setting by July 1, 2020. Staci noted that an individual does not have to be in career exploration and most individuals receiving DDA services are not in employment. Individuals can receive day habilitation or community development services.

What will happen to individuals who have competitive employment, but need ongoing job supports in order to maintain their employment? On-going job supports will not be phased out. If an individual needs on-going job supports, they will be available to them as long as they are needed. Follow Along Supports and On-going Job Supports can be accessed at the same time. On-going Job Supports are provided hourly and are available up to 40 hours per week.

How will an individual who is medically fragile and who requires certain types of medical services, such as a trach suctioning, and need alternate communication devices, receive those services in order to maintain employment? Patricia Sastoque clarified that DDA does not provide medical intense supports. However, if the individual wants to explore employment services, DDA will provide those services including communication devices if it helps that person maintain employment. If the individual requires nursing supports, such as trach suctioning, during the job, DDA will not provide that support. Patricia explained that the Medical Day Program is offered by Medicaid. It is not operated, supported or supervised by DDA. The school systems have a different model for providing services to individuals with complex medical needs and as they transition to DDA it is difficult to replicate that experience in the adult world due to DDA structure and definitions.

It was suggested that customized employment not be excluded. Patricia stated that DDA is providing training to explain to providers how to ensure customized employment meets all the standards.

Tom Liniak, Jewish Social Services Agency, asked about Ability One contracts and how DDA interprets that type of employment. Patricia stated DDA will look at the individual placement and not the pool of individuals that are being hired by the particular contract. If the position meets all of the other requirements, then DDA will approve it. Patricia noted that DORS has their own interpretation of guidelines and DDA will be reviewing each person's experience and job. DDA will also be reviewing individual placements to see if they can be tweaked to meet CIE requirements. DDA currently serves 24,000 people. 11,000 of those people are in Meaningful Day Services and of those people there are several hundreds that are in set aside contracts. DDA will work with those people to figure out this issue.

What percentage of people receiving DDA services does DDA anticipate meeting CIE guidelines?

Currently, 22.2% are in Meaningful Day Services and other categories that meet CIE guidelines. Staci predicts that when employment is reviewed using the CIE attestation checklist, more will move over to the competitive employment category. She expects to see an increase as others may move over after working with the service providers to put conflict of interest policies in place or working to make their employment competitive to meet all the requirements. If a person is employed and they would like to receive their employment services from a different provider, but they will lose their job if they switch then that job is not integrated. Service providers should have a DDA approved conflict of interest policy in place. If the individual is segregated, their job will never meet the CIE definition.

Does DORS use DDA services? DORS has completely different funding and services. DDA only mentions DORS because individuals receiving DDA services should also be able to access DORS services. DORS does not provide support services and DDA wants to make sure they are aligned with DORS in order to support job placement.

Do individuals need to have all their hours and services determined at their PCP? Will they have flexibility in choosing their services? Typically, a person's annual PCP would outline the services the person is accessing. However, these can change at any time. Between now and July 1, 2020, their PCP should be aligning to the new service menu. DDA has a webinar about service alignment:

<https://www.youtube.com/watch?v=Surpl3pCWDQ&feature=youtu.be>.

How will a service provider provide supports to an individual if their situation changes and they need different supports, or if the provider needs to meet with the employer to deal with the situation? Will the provider be compensated by Follow Along Supports? If the person is working and is authorized for Follow Along Supports, there will be hours worked in for emergencies. If the situation changes, they can talk to their CCS to update their PCP to reflect those changes. If it is an emergency situation, DDA can authorize overnight emergency supports funding through the new LTSS system.

Are drop-in services included in the Follow Along Supports program? How many direct support meetings need to be face-to-face? Six hours of support per month are billed in and there should be at least two direct support meetings within that month. It will depend on the services being provided as some have transportation included. All Meaningful Day Services have transportation built into the rate but Follow Along Supports does not. Staci suggested reviewing the Service Authorization and Billing webinar PowerPoint for more information:

https://dda.health.maryland.gov/Documents/Service%20Authorization%20and%20Provider%20Billing%20Documentation%20Guidelines_Revised_%202-8-19.pdf.

There are concerns how the new CIE guidelines affect customized employment jobs. These new requirements can be limiting the types of jobs for persons with disabilities. From the provider viewpoint, it is hard to find employers to hire people with disabilities. Patricia explained that if an employer

customizes a job for a person with a disability that can do routine tasks, this would not qualify as a competitive position. The position should be offered to a person with or without a disability. If the customized job was advertised and open to people with or without disabilities, it would meet CIE guidelines. Another example is a job position that only is available for a person with a disability. This job would not meet CIE guidelines. Patricia stated that customized positions may meet other standards. The attestation form is important to fill out as there is no one answer because each job is unique.

Is DDA working with Chambers of Commerce and employers across the state to promote the hiring of persons with disabilities? Governor Hogan has been meeting with Chambers of Commerce and employers about hiring people, but it is not targeted to people with disabilities. DDA is leaving promotion up to the providers to communicate to employers. The Maryland Department of Disabilities (MDOD) made a short video called Employability that explains to employers the benefits of hiring persons with disabilities: <https://www.youtube.com/watch?v=8FZHxm5tOU4&feature=youtu.be>.

It was recommended that the messaging to employers is to hire qualified and trained workers, not to tell employers to hire people with disabilities. Most employers do not understand that a person with a disability is a good job match until they have been brought into the job. Agencies in working to access employment opportunities should focus on the business needs of the employer. Training for people with disabilities should be based on employer needs. That is what Tom Liniak is doing with JSSA's employment services.

Announcements

Susan Hartung reported Claire Funkhouser is working on a Transition Committee with Karen Leggett, Montgomery County Transition Work Group.

Respectfully Submitted,

Carly Clem, Administrative Specialist

Betsy Luecking, Community Outreach Manager