

1240-J EMPLOYMENT SERVICES

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REFERENCES: Arizona Executive Order 2017-08, AMPM 1240-J, Division Medical Policy 1250-Y

PURPOSE

This policy establishes the requirements regarding the provision of employment services and support services for Members eligible for Arizona Long Term Care Services (ALTCS).

DEFINITIONS

1. “Competitive Integrated Employment” means work that is performed on a full-time or part-time basis for which an individual is:
 - a. Compensated at or above minimum wage and comparable to the customary rate paid by the employer to employees without disabilities performing similar duties and with similar training and experience;
 - b. Receiving the same level of benefits provided to other

- employees without disabilities in similar positions;
- c. At a location where the employee interacts with other individuals without disabilities; and
 - d. Presented opportunities for advancement similar to other employees without disabilities in similar positions.
2. “Enclave” means a worksite of a competitive employer where a worker with a disability or group of workers with disabilities are working and supervised by staff from the qualified vendor. The workers remain on the qualified vendor’s payroll and authorizations to pay subminimum wage is based on the work center’s certificate.
 3. “Integrated Work Setting” means a worksite that is located in a naturally occurring community of residential, business, social, or educational environments.
 4. “Member” means a person receiving developmental disabilities services from the Division.
 5. “Mobile Work Crew” means a small crew of persons with disabilities that operates as a self-contained business that

generates employment for their crew members by selling a service. The crew may work at several locations within the community, under the supervision of a job coach. This type of work may include janitorial, groundskeeping, or maintenance.

6. "Planning Team" means a defined group of individuals comprised of the Member, the Responsible Person if other than the Member, and, with the Responsible Person's consent, any individuals important in the Member's life, including extended family members, friends, service providers, community resource providers, representatives from religious/spiritual organizations, and agents from other service systems.
7. "Responsible Person" means the parent or guardian of a minor with a developmental disability, the guardian of an adult with a developmental disability, or an adult with a developmental disability who is a client or an applicant for whom no guardian has been appointed as defined in A.R.S. §36.-551
8. "Self Employment" means the following are met:
 - a. The person is directly involved in their own recognizable business, trade, or profession. This may include odd jobs

or irregular and varied activities,

- b. No employer-employee relationship exists and the person controls the hours worked and how the work is performed, or
- c. The person works for someone else on a commission basis but pays their own federal taxes. In general, if taxes are deducted from the person's pay, the person is not self-employed.

POLICY

A. EMPLOYMENT FIRST

- 1. The Division shall participate as a partner in Arizona's Employment First initiative by:
 - a. Providing services and supports to implement Employment First principles and practices, and
 - b. Coordinating efforts to improve employment opportunities for working-age Members.
- 2. The Division shall adopt the following principles and ensure

service planning and service delivery aligns with these principles:

- a. Expect and believe that all Members can work with the right supports;
 - b. Employment shall be the first and expected outcome for all working-aged Members; and
 - c. Members shall have access to competitive integrated work Settings.
3. The Division shall provide the Responsible Person with the following information to assist Members with making informed decisions about employment.
- a. Information on Employment supports and services to include:
 - i. Division-covered services;
 - ii. Vocational Rehabilitation; and
 - iii. Community Resources.
 - b. The benefits of employment and its impact on the

Member's quality of life;

- c. How work affects public benefits and resources so that employment remains an option for the Member without fear of losing essential benefits;
- d. To Focus on an individual's priorities, strengths, abilities, and interests, and
- e. Appropriate supports and services such as supported and customized employment and assistive technology.

B. EMPLOYMENT SERVICES

1. The Division shall provide a diverse range of employment services that are individualized to the Member.
2. The Division shall require the Planning Team to begin assessing for and developing employment goals starting when the Member is 14 years of age and continuing into adulthood.
3. The Division shall continue to develop and discuss employment goals, outcomes, and the Employment First initiative at each of the Member's ongoing planning meetings.

4. The Division shall require employment planning to be driven by the Responsible Person and the Planning Team through informed choice and include:
 - a. Members having an integrated employment goal;
 - b. Goal development to address barriers when the Member is not ready for an integrated employment setting;
 - c. The duration of the service;
 - d. Outline and prioritize the goals to be achieved;
 - e. Arizona Disability Benefits 101 (DB101) and work incentive consultation to understand how working income may affect benefits;
 - f. Opportunities for progressive moves; and
 - g. Any other employment-related needs identified by the Planning Team;

5. The Division shall ensure Integrated Work Settings require that workers with disabilities have the choice and opportunity to:
 - a. Work alongside workers without disabilities, other than

- paid staff who are providing services to that Member;
 - b. Perform the same tasks with the same expectations that a non-disabled peer would perform for pay; and
 - c. Freely participate in the social aspects common to the workplace.
6. The Division shall ensure Members participating in facility-based services have the choice and opportunity to:
- a. Develop products and services which are prepared in the facility but sold or provided in the community;
 - b. Have alternate schedules;
 - c. Have access to entrances and exits to the setting and any areas within the setting as determined by the employer to be relevant to the Member's job duties;
 - d. Schedule and engage in work and non-work activities:
 - i. At the Member's convenience;
 - ii. That are specific to the Member's skills, abilities,

- desires, and needs;
- iii. With people of the Member's choosing; and
 - iv. In areas of the Member's choosing including indoor and outdoor spaces.
 - e. Have the same choices and opportunities as Members participating in an Integrated Work Setting.
7. The Division shall ensure the Responsible Person is provided with information pertaining to the following:
- a. Arizona Disability Benefits 101 (DB101), so the Responsible Person:
 - i. Understands how disability benefits, such as SSI and SSDI, may change with working income and choose an employment goal based on that understanding; and
 - ii. Can set up their own DB101 accounts and use them independently to make future employment decisions.
 - b. Rehabilitation Services Administration/Vocational

Rehabilitation (RSA/VR):

- i. RSA/VR, as the primary payer of employment services, are to be offered to Members interested in gaining competitive and integrated employment;
 - ii. RSA/VR eligibility criteria;
 - iii. How the RSA/VR program can assist in the Member's pursuit of becoming competitively employed;
 - iv. The types of services RSA/VR may provide; and
 - v. How to make informed decisions about participation in the RSA/VR program and request a referral to RSA/VR when interested.
- c. Community employment resources, including ARIZONA@WORK;
 - d. AHCCCS Freedom to Work (Medicaid Buy-In):
 - i. It is affordable health insurance for individuals with disabilities who are employed; and

- ii. The key concepts of the program.
 - 8. The Division shall cover transportation services for Members when traveling to and from employment-related services as outlined in Division Medical Policy 1250-Y.
 - 9. The Division, when the Member needs additional supports to maintain successful employment, shall assess and authorize for Employment Support Aide to provide personal care services, and behavioral intervention while participating in:
 - a. Group Supported Employment;
 - b. Individual Supported Employment; or
 - c. Competitive Integrated Work Setting.
 - 10. The Division shall contract with a sufficient network of providers specializing in employment services covering all regions in the Geographical Service Area (GSA) and educate the providers on the importance and benefits of referring Members interested in competitive integrated employment to RSA/VR.
 - 11. The Division shall make all reasonable efforts to increase the number of providers who are mutually contracted with

ADES/RSA for employment services.

12. The Division shall ensure any authorized attendant care during the provision of employment services or at the Member's workplace is medically necessary and does not substitute for the services or accommodations a Member may be entitled pursuant to the Americans with Disabilities Act and the Rehabilitation Act of 1973 including reasonable accommodations rendered by an employer.

C. PRE-EMPLOYMENT SERVICES

1. The Division shall ensure the Member's employment provides opportunities for them to participate in the range of pre-employment services based on their employment goals, strengths, priorities, interests, and abilities.
2. The Division shall deliver pre-employment services, that are provided individually or in a group setting, to prepare Members for engagement in meaningful work-related activities. This may include the following:
 - a. Vocational assessments to determine strengths,

- knowledge, skills, interests, and abilities;
- b. Career and educational counseling;
 - c. Access to transportation training, including how to use public transportation and mobility training;
 - d. Community trial work experiences, including volunteer work, career exploration, and job shadowing;
 - e. For Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) beneficiaries, benefits counseling on how working income may affect benefits;
 - f. Job training services, including vocational skill building and training related to soft skills necessary to be successful on the job;
 - g. Supervised supported employment in a group setting, including Enclaves and Mobile Work Crews;
 - h. Training that will assist the Member in gaining meaningful employment;
 - i. Assist in job search; and

2025; or

- ii. A plan for Members who are making subminimum wage to reach a minimum wage.
 - c. Integrated Community setting;
 - d. A group of no less than two and no more than four Members.
5. The Division shall assess and authorize for Center Based Employment when the Member needs a service to:
- a. Provide the Member with a controlled, protected, and supervised environment;
 - b. Be provided in a Qualified Vendor-owned or leased setting;
 - c. Provide the Member with a goal to develop general, non-job-task-specific strengths and skills with a goal of integrated employment in the community including group and individual supported working environments.
6. The Division shall ensure Members approved for Center Based Employment prior to March 17, 2023:

- a. Can continue to receive those services without having a goal of working outside of the setting; and
 - b. Are continuously assessed for and offered services to assist Members with obtaining competitive employment in the community.
7. The Division, for Members beginning Center Based Employment after March 17, 2023, shall be approved for no more than 12 months unless otherwise approved by the District Program Manager (DPM) or designee.

D. POST EMPLOYMENT SERVICES

1. The Division shall assess and authorize ~~for~~ Individual Supported Employment when:
 - a. The Member has exhausted other community and paid support services;
 - b. The Member is not eligible for employment services through Vocational Rehabilitation; or
 - c. Vocational Rehabilitation services are not available to the

Member.

2. The Division shall assess for and authorize Individual Supported Employment when the Member:
 - a. Meets the criteria outlined in Section (D)(1) of this policy;
and
 - b. Needs Job Search services to obtain employment; or
 - c. Needs Job Coaching services to maintain employment.

E. CONFLICT OF INTEREST

1. The Division shall require Qualified Vendors to stop all other employment services to Members when the Qualified Vendor has competitively employed the Member.
2. The Division may approve the Member's employment services, as assessed, and assign them to a different Qualified Vendor to prevent a conflict of interest when the Member is competitively employed by a Qualified Vendor.