

Key Highlights This Month:

New Employment Services: In June 2017 the legislature approved three new employment services as part of their special session: S.F. No. 2, Article 1, Sec. 2. These services will be replacing Supported Employment Services. The new employment services are tentatively scheduled to be available July 1, 2018 and by July 1, 2019 all individuals will have transitioned to the new services. The Employment Services in a quick snapshot:

- o Employment Exploration Services: Community-based services that introduce and explore employment, such as work experiences. Service assists people in making an informed choice about working in competitive, integrated employment.
- o Employment Development Services: Individualized services that help people find competitive, integrated employment or obtain self-employment.
- o Employment Support Services: Individualized services and supports that assist people with maintaining community employment in an individual or group arrangement.

What these services do:

- o Separate community based employment from Day Training & Habilitation (DT&H)
- o Enclave/Crews shifts to Employment Support Services and have size limits.
- o Center based work activities remain under DT&H for the time being.
- o Replaces Supported Employment Services with Development and Support
- o Focus on individualized services
- o The new Exploration service allows for experiences to strengthen informed choice decisions-once someone chooses to work they will move into the Development service.

Lead Agency Considerations re: new employment services:

- o County Contracts-each lead agency will decide if they are going to mirror the waiver services and county funded services and adjust contracts accordingly. Cost considerations will need to be made. The new employment services do have a higher reimbursement rate than current Supported Employment Services. *Rates for the new Employment Services: https://mn.gov/dhs/assets/2017%20EmploymentServices-DRAFT_tcm1053-307705.xlsx*
- o The transition plan for rolling in to new services begins July 1: Each individual will roll into the new employment services at their date of reassessment. The translation of current services to new services can be complex. DHS is developing service planning resources to assist in transitioning to the services, including the change from full day units to 15 minute units. One tool will help calculate the number of 15 minute units and staffing ratios for service authorizations. Providers will be able to use this tool and submit to the lead agency along with the 6790. The tool is still being edited but will be available for dissemination in the coming months. DHS also plans to host regional webinars and prerecorded modules to help lead agencies with the transition. DHS plans to update lead agencies on implementation of the new employment services and provide further guidance at the May Regional Resource Specialist meetings. As part of the transition DHS will be asking Lead Agencies to designate 'employment mentors' that will be trained and then will help with implementation and roll out in their respective communities. Expect that request in the near future.

Legislative Challenges to the new Employment services:

- o S.F. No. 2890 was brought to the Senate Committee on Human Services Reform Finance and Policy on March 5th. The bill attempts to delay the implementation of the employment services an additional 18 months and is being brought forth by Sen. Paul Utke, with backing from select provider agencies via Kevin Goodno, Fredrikson and Bryon. Lead Agency Readiness was cited as one of the reasons for the delay request; however there were no lead agency representatives speaking to the matter. More to come.

IMPORTANT NOTE: The employment services were part of our waiver amendment package to CMS. Although CMS has asked some formal questions the clock has not been restarted and DHS is hoping/anticipating CMS approval this month. Stay tuned.

Employment Data/Targets/Outcome Tracking:

- o County Employment Targets: Each county was given a target that DHS is using as a guidepost during Lead Agency Reviews to talk about progress towards employment. They have not been pushed by DHS at other times during the year but Lead Agencies should still be aware that the targets are out there. (Document Attached)

- o Earned Income Database/Dashboards: DHS previously contracted with the U of M Institute on Community Integration to establish the dashboards but have taken the dashboards back internally. They are being revamped and in the process of being anonymized so they can be released widely. Expect links for the dashboards very soon. The dashboards allow lead agencies to track employment outcomes and wages by age, funding stream, provider organization, services received, etc. They are an exciting tool to pull data quickly and monitor progress.

Interagency Work:

- o DHS and DEED-Vocational Rehabilitation Services have been working on a memo of understanding regarding the use of waiver dollars vs. VRS dollars. The clarification will help lead agencies make decisions regarding funding. It will also help in the ability to braid, blend and sequence funding as necessary to support someone in their job exploration, search and supports necessary to maintain a job. The MOU team reports being close to completion. More to come.
- Vocational Rehabilitation Services is proposing changes to the extended employment programs. The EE program is a pay for performance model and the changes are prioritizing funding for competitive, integrated employment. The flyer about the proposed changes is attached and if you would like to sign up to receive updates about the public comment period here's the link: <https://mn.gov/deed/job-seekers/disabilities/extend-employment/>. Potential County Implications of the EE Rule changes: Some areas of the state have individuals served in center through the EE program. With the proposed changes the center based portion of the program will be phased out over the next few years and the dollars would be reallocated to community based employment settings. For a county that has individuals served in center paid for through EE that *wants* these individuals to remain in center based services-the county or waiver would need to pick up the cost of the service as it would no longer be available through EE. This will affect approximately 1400 individuals state wide.
- The Department of Education is increasing efforts to clarify work based learning requirements for students with disabilities. The State's Employment Practice Review Panel (formed as part of the Minnesota Olmstead Plan), under the guidance of the Interagency Employment Panel (state agency directors), is working to clarify funding and services for youth still in school, open to waived services, and also being served by VRS. The 2018 goal of the EPRP is to clarify how agency funds can be aligned to support transition students in getting and keeping jobs in the community while still enrolled in school. There are also 18 school districts partnering with lead agencies and VRS throughout the state as part of the Employment Capacity Building Cohort working towards the same goal of competitive employment for youth still enrolled in school.
- The Workforce Innovation and Opportunities Act Section 511 implementation on the use of subminimum wage is part way through year two. In year one, 11,802 individuals

statewide went through the Career Counseling, Information and Referral process with the Centers for Independent Living. 1,990 individuals said they want to explore competitive work. As part of this work Anoka, Dakota and Hennepin Counties have partnered with VRS to provide guidance on what the lead agency role is in the WIOA process. The group has been working together and recently created a training for case managers on best practices when someone says they want to work. There were training gaps with case managers not understanding how to facilitate a robust and positive planning meeting around employment. There is a video link of the training attached as well as a facilitated agenda that case managers could use to guide the conversation. <https://youtu.be/0qgT4luL4wA>

Day Training and Habilitation/Prevocational Services Update:

- DHS stakeholder groups were held in 2017 and then took a hiatus to keep moving the employment services forward. Beginning in late April/early May the workgroup will reconvene. This group is working to redefine DTH and Prevoc and includes discussion around what services will be provided in those settings and potential time limits to the services, among other matters.
- In February CMS determined that certain rate increases provided for HCBS under DWRS between 2013 and 2017 are out of compliance with federal law. CMS has determined the cost of living increases enacted in 2013 and 2014 are duplicative of the inflationary adjustments within the DWRS formula and that the methodologies should be adjusted to remove the duplication. CMS notified DHS that it cannot have both a legislatively mandated COLA and rebased rates during the same year-which means CMS will not be providing a federal match for the rates that stack the 7 percent COLAS on top of the adjustment to current cost of 8.5 percent that went into effect July 1, 2017. DTH Advocacy groups (and other provider advocacy groups) are requesting a seventh year of banding. At a senate hearing on March 5th testimony was given to extend banding a year in order to give time to providers to work with employers, particularly around work crews which are being affected by the new employment services size limit-to give time to reportedly work with employers.

Requested Actions Needed From MACSSA:

Contact(s): Andrea Zuber, Megan Zeilinger, Colleen Fodness (Dakota County)
