



OPERATIONAL MEMO

TITLE:	SUPPORTED EMPLOYMENT SUPPORTS AND SERVICES
SUPERSEDES NUMBER:	N/A
EFFECTIVE DATE:	DECEMBER 13, 2019
DIVISION AND OFFICE:	BENEFITS AND SERVICES MANAGEMENT DIVISION, OFFICE OF COMMUNITY LIVING
PROGRAM AREA:	EMPLOYMENT SERVICES
KEY WORDS:	SUPPORTED EMPLOYMENT, SEQUENCING, JOB DEVELOPMENT, JOB COACHING-GROUP, JOB COACHING – INDIVIDUAL
OPERATIONAL MEMO NUMBER: HCPF OM 19-058	
ISSUE DATE: DECEMBER 19, 2019	
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Purpose and Audience:

The purpose of this Operational Memo is to inform Home and Community-Based Services (HCBS) Supported Employment Service Providers and HCBS Case Managers how individual may utilize Supported Employment Services. The information in this Operational Memo will provide information and direction.

Information:

Colorado is an Employment First state, with Competitive Integrated Employment (CIE) as the most preferred outcome for individuals utilizing HCBS. CIE means work that is paid at either minimum wage, higher or prevailing wage with commensurate benefits, occurring in a typical work setting where the employee with a disability interacts, or has the opportunity to interact, with coworkers without disabilities to the same extent as non-disabled workers performing the same job. In other words, CIE is a job that has the same characteristics as any other typical community job, regardless of the employee's disability. Currently, the HCBS Waiver for Persons with Developmental Disabilities (DD) and the HCBS Supported Living Services (SLS) Waiver include multiple service options under the Supported Employment Service category. As the Department of Health Care Policy & Financing (the

Department) works with stakeholders to improve these services to better support CIE outcomes, it is important that services are being utilized to effectively support people with their employment goals while maximizing independence for each member.

When an individual is interested in Supported Employment Services, it is critical for an appropriate referral to be made to the Division of Vocational Rehabilitation (DVR) within the Department of Labor and Employment. After the referral to DVR has been made and until DVR has authorized services, HCBS waiver services may be authorized so that employment supports can begin immediately. Once DVR has authorized services, the DVR services must be utilized before HCBS waiver services. For individuals requiring line-of-sight supervision, DVR and waiver services may be utilized in conjunction as described below.

While CIE is the most preferred outcome for individuals, waiver services may currently be utilized to support individuals who are either enrolled or interested in non-CIE outcomes. Alternatively, DVR services cannot be utilized in a non-CIE setting. If DVR determines that the individual's employment goals are not considered CIE and DVR Employment Services are not authorized, waiver services can be utilized. A record of DVR's decision shall be kept in the individual's file.

Supported Employment Services available in the HCBS-DD and SLS Waivers

Job Development (Group and Individual) are services that focus on the assessment and identification of vocational interests and capabilities of individuals, supporting individuals as they identify jobs they would like to explore, and speaking with prospective employers. Job Development services may be utilized whether the individual is present or not. If Job Development is being utilized when an individual is not present, the service activities must be on behalf of the individual and must be utilized to identify employment options. These activities may include writing an employment plan, making contact with possible employers, and talking with family members and friends to better identify employment options. Job Developers shall discuss these activities with the individual in services and get the individual's approval before the activities take place. Any prospective employer contacted by the Job Developer must be based on the individual's job preferences and needs, as determined through the Job Development process.

When an individual is in a non-CIE setting, especially individuals utilizing Pre-Vocational Services, Job Development activities may be utilized to explore CIE opportunities. While supporting an individual in exploring CIE opportunities, a referral to DVR shall be made. This will allow the individual to explore CIE opportunities during the DVR enrollment process.

Job Coaching (Group and Individual) services focus on activities needed to sustain paid work by individuals utilizing waiver services. This includes, but is not limited to, line-of-

sight supervision and training, supporting the individual in learning job tasks, and how to request accommodations and support with integration into the employment community. Job Coaching may not be utilized on days when the individual is not working. Job coaching may be provided while the person is at the work site either in person or via remote technology. Job coaching may also be provided outside the individual's work site. For example, the job coach may meet with the individual at a designated location prior to the individual entering the work site, if the work site is not accessible to the Job Coach for reasons like security.

Although DVR services, when available, must be used before HCBS waiver services, Job Coaching services can be used in conjunction with DVR services when individuals require line-of-sight supervision. For example, if the Individual Plan for Employment through DVR determines an individual only needs two hours of Job Coaching for a six-hour shift, the DVR service shall be utilized first, then, to support the individual with line-of-sight supervision, HCBS Job Coaching would be utilized for the remaining four hours.

Job Coaching is intended to fade out over time as the individual becomes more independent and learns the job tasks associated with their position. There is no set length in which Job Coaching should fade out, as it is based on the individual's need for the service. However, this means that the job must not be dependent on services being utilized. Since fading out of services is the expectation, the individual must not be at risk of losing their job when they no longer need Supported Employment services and the job must stand alone outside of service provision.

For Job Coaching-Individual, this also means that the individual must have freedom of choice in their provider. If an individual is working in a provider-owned and controlled setting or job and receiving individual job coaching, they must still be given the right to choose a different provider and not be at risk of losing their job.

Clarification on appropriate usage for Group versus Individual Job Coaching.

When determining whether Group versus Individual Job Coaching is appropriate, providers should consider the characteristics of the job and the individual's degree of independence in performing job duties, regardless of whether the provider is the employer of record. For example, if two or more individuals are performing similar job duties and regularly work the same shift at the same location, and the support needed for the individuals to be successful is constant, Job Coaching-Group is the appropriate service. By contrast, if an individual is the only individual working or is relatively independent in performing job duties, Job Coaching-Individual may be appropriately provided on an intermittent basis. The service selected should maximize the individual's independence and integration in the workplace to the maximum extent possible. For example, Job Coaching-Individual may create workplace disruption and be a barrier to individuals interacting with and developing relationships with other employees. Thus, "fading" the time and intensity of supports over time is critically important. The billing for more than two Job Coach-Individual staff for the same time

period at any single employer location is prohibited unless specifically approved by the Inter-Disciplinary Team (IDT). Providers should take these factors into consideration along with the individual's needs when determining whether group or individual job coaching can best meet the person's need. In instances where an individual cannot sustain the job in a group setting utilizing Job Coaching-Group, further documentation is needed to approve Job Coaching-Individual. This documentation and this service need to be appropriate and approved by the individual and the IDT as a whole. The documentation must include the following:

- The skills the individual needs to learn and why Job Coaching-Group will not provide the supports needed
- The strategies that will be used by the Job Coach to support the individual in learning the identified skills
- The estimated timeline identifying when Job Coaching-Individual will no longer be needed, and either the individual will be fully independent or transitioned into Job Coaching-Group

Resources

As the Department moves toward the preferred outcome of CIE for all individuals receiving Supported Employment Services, more information and resources will be provided. The Department will also hold trainings and webinars to educate individuals on CIE and the Department's goals for Employment Services. For more information on DVR, please visit <https://colorado.gov/pacific/dvr>.

Attachment(s):

None

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