



# **Preliminary Findings and Observations**

## **State Employment Leadership Network (SELN)**

### **Project Team Visit Report**

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**State:** Virginia Office of Developmental Services

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## Introduction

Upon joining the State Employment Leadership Network (SELN), each new member state agency is asked to complete the SELN State Strategic Employment Self-Assessment. This comprehensive self-evaluation tool provides a description and analysis of the state's infrastructure and support for achieving integrated employment outcomes among persons with developmental disabilities receiving publicly financed support. Using the Self-Assessment as a guide, the SELN Project Team conducts an on-site visit with key state developmental disability agency officials, regional, county, and local leaders, providers and other stakeholders, as determined by the state agency, to develop a thorough understanding of the state context and clarify the outcomes to be achieved. Information gathered through the Self-Assessment and site visit is summarized in this *Findings and Observations* report prepared by SELN staff. This report is formatted to provide the results of the assessment process (Key Findings) and to offer a list of possible system change activities (Potential Focus Areas) under each of seven key employment framework areas. Follow-up meetings will be held with state officials to identify key outcomes to be pursued through SELN participation and to develop effective implementation strategies. State officials may use the report as the basis for the development of an employment work plan detailing the goals, outcomes, and strategies to be pursued in the months or years ahead.

## Glossary

ACCSES	Virginia Association of Community Rehabilitation Programs
APSE	Association for Persons in Supported Employment
CSB	Community Service Board
DBHDS	Department of Behavioral health and Developmental Services
DD Council	Developmental Disabilities Council
DMAS	Department of Medical Assistance Services
DRS	Department of Rehabilitative Services
ESO	Employment Service Organizations
I/DD	Intellectual and Developmental Disabilities
MIG	Medicaid Infrastructure Grant
ODS	Office of Developmental Services
VBPD	Virginia Board for People with Disabilities
WIPA	Work Incentives Planning and Assistance

## I. Leadership

### A. Key Findings

- Virginia's developmental disabilities service delivery system has long recognized the importance of employment for people with intellectual and developmental disabilities (I/DD) in the state. Broad support for the improvement of employment outcomes among service participants exists at the state, community services board, provider agency, and university levels.

Stakeholders participating in the SELN self assessment process also agreed on the need for a focused strategy for working together to achieve targeted outcome goals.

- Stakeholders identified a number of areas in need of improvement, including:
  - The ability of state agencies, ODS, DRS, and Education, local community services boards and providers to work effectively together to promote employment among people with I/DD and to achieve a common set of outcomes.
  - The absence of a designated funding stream to support employment, particularly for individuals with I/DD who are not receiving services under the state's Medicaid waiver programs.
  - The over-reliance on local funds to pay for needed employment supports, creating significant access disparities between CSBs across the state.
  - The lack of effective systems for transition from school to adult services and employment for young adults with I/DD.
- The current economic environment has had a significant impact on ODS' plans to move forward in several areas. Declining state and county revenues have significantly restricted access to the state's two Medicaid waiver programs serving individuals with intellectual and developmental disabilities and have limited the capacity of Community Services Boards to furnish employment supports for those who are not eligible for waiver services.
- A new Community Resource Manager position was recently established at ODS that includes development of integrated employment opportunities in its job responsibilities.
- Support for integrated employment has been inconsistent at the state level. For example, funding from the American Recovery and Reinvestment Act of 2009 (ARRA) was used to support two facility-based programs.
- ACCSES provides a strong voice as a provider trade organization, particularly for larger agencies in the state. In addition to advocacy, ACCSES holds a regional WIPA contract and contracts with the MIG to provide outreach and training on work incentives.
- Virginia's developmental disabilities service delivery system is complex with responsibility for leadership, funding, operation, oversight and quality assurance spread between the state Department of Medical Assistance Services (DMAS), ODS, and the local Community Services Boards. Employment services and supports are furnished under the states' two

Medicaid waiver programs managed by ODS for people with intellectual disabilities (ID) and DMAS for persons with developmental disabilities (DD). Services for individuals with disabilities who do not meet Medicaid waiver eligibility criteria are provided by local CSB which contract with private agencies. Virginia has an unusually high reliance on local funding for services at the CSB level. The majority of individuals receiving employment supports are not on the state's waiver programs.

## B. Potential Focus Areas

- Consider the establishment of a small working group including thought leaders across the state from the CSBs local provider agencies, Virginia Commonwealth University (VCU) and others with an interest in improving and expanding employment outcomes to develop a comprehensive framework for bringing about change within and across the state. Use the working group to develop ideas and strategies to present to a broader based statewide advisory committee on employment change (see below).
- Establish a broad-based committee involving key representatives of partner agencies such as DMAS, the Department of Rehabilitation Services (DRS), the state department of education, the CSBs representatives from provider agencies, university staff, self-advocates, advocacy organizations and other stakeholders. The focus of the group would be to provide input, advice and assistance to ODS and seek agreement on a broad based agenda for system change leading to improvements in the numbers of individuals with I/DD being employed in integrated settings.

## II. Strategic Goals and Operating Policies

### A. Key Findings

- Current ODS policy statements do not cite integrated employment as an expected or desired outcome of services nor do they reference the role of integrated employment in Virginia services.
- The Joint Legislative Audit and Review Commission performed a study of services for people with Autism Spectrum Disorders. ODS is responsible for responding to the report's recommendations by November, and employment is a specific area of focus.
- The recent alignment of supported employment rates under the two Medicaid waiver programs with DRS rates for employment services removed a substantial barrier to integrated employment (see below).
- CSBs identified about 28,000 people with ID. Currently about 8,000 receive services under the Medicaid Home and Community-Based Waiver program,

and another 3,500 persons receive support through non-waiver state and local funds.

- Local provider agencies operating under contract with the CSBs are prohibited from furnishing supported employment services without also being an approved DRS vendor and CARF accredited. Until July 2008 when changes were made in the rates paid by the state for employment services, only six providers were qualified to offer supported employment under the waiver program. This is changing. A new vendor has one year to achieve CARF accreditation. Some CSBs require CARF even for local funding.
- ODS is currently rolling out the SIS as a part of a three year plan to standardize the assessment process statewide. At a later date, ODS plans to use SIS scores as a component of a comprehensive resource allocation methodology.
- Case management is required for people served under the waiver, but not for those supported with state funds only, and is provided by the Community Services Boards (CSB).

#### B. Potential Focus Areas

- Develop strategies for creating greater awareness and a clear message regarding community employment as a viable and preferred option, among key public and private officials and staff from ODS, the CSBs, provider agencies, individuals with disabilities family members, and advocates. The intent would be to create a consistent message regarding the importance and positive aspects of employment, awareness of best practices, and to make community employment a consistent part of discussions regarding service options, service plans, etc.
- Develop common outcome definitions and statewide goals in collaboration with the stakeholder working group. Frame ODS policy in relation to employment outcomes.
- Engage self-advocates and family groups to create external pressures and demands for increased community employment and to help consumers understand the alternatives to current day program options. Central to the process is providing information and tools to assist them in understanding and advocating for quality employment services.
- Encourage participate in the *Alliance for Full Participation* to enable Virginia stakeholders to take part in the development of local teams and engage in nation-wide efforts to improve employment that will culminate in a national meeting held in Washington D.C. in 2011.

### III. Financing and Contracting Methods

#### A. Key Findings

- Virginia has a high reliance on state and local funds for services. Historically CSBs received state funds for services but needed to match state funds with local resources. This changed with the expansion of the Medicaid waiver program when DMAS assumed control over all of the state Medicaid matching funds in 2004. This change enabled DMAS to expand services by drawing down additional federal Medicaid funds. In exchange, the CSBs gave up state general fund dollars. Local resources continue to play a significant role in overall service funding, however, particularly in Northern Virginia.
- Funding for employment services improved significantly when provider reimbursement rates under the Medicaid waiver programs were reset to match the rates paid for employment services by DRS. The original waiver design provided an outcome-based structure for employment funding with a rate of \$65/day for individuals who worked more than four hours and \$32.50/day for individuals who worked two to four hours. This rate structure was never fully implemented, however, and Medicaid established a supported employment rate of \$16/hour (later \$17.64/hour), creating a significant disincentive to promote or expand individual employment options. In July 2008, rates paid under both waivers were matched to DRS service rates. Under current rules, DMAS does not pay for travel without the job seeker or telephone time, activities that DRS does pay for, and ESOs have expressed concern.
- Prior to the 2008 change, rates was also an issue because state law prevents Medicaid vendors from accepting a higher rate from another source, including local CSB or state funds, for a service than the rate provided under the Medicaid program. Until the 2008 change, this effectively blocked ESOs from providing supported employment services under both Medicaid and DRS. Non waiver funds are largely block funded to Employment Service Organizations (ESO).
- Waiver rates are set centrally by DMAS, with the exception of rates for supported employment that match the rate DRS pays for supported employment and are negotiated with each provider.
- Non-waiver provider reimbursement rates for supported employment are negotiated locally by CSBs.

- Medicaid services rate setting, reimbursement, and provider authorization are managed by DMAS. Units of service for waiver services:
  - 1-3 hours: 1 unit
  - 4-6 hours: 2 units
  - Over 6 hours: 3 units
- ESOs vary whether they bill for two or three units per day. Close to half currently bill for three units. Historically, Janet Hill, ODS Director at the time, tried to cap other services (non-integrated employment services) at two units/day in order to use the funds to supplement integrated employment rates. Splitting three units between two services is difficult if a person is receiving two services in a day.
- Low intensity and high intensity rates are provided. Group supported employment is considered a high intensity service.
- Waiver services are furnished under two separate waivers:
  - Intellectual disabilities (ID) comprehensive waiver (1991). Primary waiver, serving over 8,000 individuals. Case management is provided by the CSBs paid at a rate of \$360 per month. ODS manages preauthorization for the ID waiver, regulations and policy, quality assurance, enrollment, wait list, and technical assistance.
  - Developmental disabilities (DD) waiver for persons without intellectual disabilities. Services are identical to the ID waiver, but the program does not support congregate residential services, maintains a chronological rather than a need based waiting list and is capped at 800 participants. An individual cannot be enrolled in both waivers at the same time. Preauthorization and case management are very different under the DD waiver. Case management may be provided by private non-licensed providers and is reimbursed at a rate of \$175 per month. DMAS preauthorizes waiver services and conducts the initial and annual level of care determinations.
- Non-waiver services are furnished by the CSBs which receive a fixed amount of state funds to serve all eligible individuals. Funds may be supplemented by local revenue dollars. CSBs negotiate payment rates with providers.
- In addition to waiver funding, CSBs bill \$326.50/month for active case management through the Medicaid state plan (not waiver).
- Considerable concern was expressed by providers about audits for Medicaid billing. Providers are being hit with paybacks.

- There are significant person-to-person and regional disparities in funding based on the mix of waiver and state or local funds available. A large CSB within Virginia indicated that they do not have a strong employment-funding stream, and the majority in their CSB catchment area is not on the waiver. Currently only 100 people are in individual employment, and they are all supported with non-waiver resources. Of 40-50 people in enclave services, only 13 are covered by the waiver. Another more rural CSB reports that of 50 in individual and enclave employment only 13% are waiver funded. This is in part because of the historically low rates for supported employment under the waiver, and because of waiver eligibility issues. The Joint Legislative Audit and Review Commission (JLARC) report on services for persons with Autism Spectrum Disorders indicated that in FY2008 fewer than 10% of MR Waiver recipients received supported employment services, and that only nine individuals on the DD waiver received supported employment.
- There is currently a 5,000-person waiting list for services. New funds are distributed to CSBs based on a formula that prioritizes urgent needs, and as a result, integrated employment tends to not be a priority for newly funded individuals. Stakeholders report that the wait time for services can be great exceeding six months. Typically, people entering the system for the first time receive day program, prevocational or sheltered workshop services rather than employment supports.
- Individual supported employment is currently being protected from a 5% proposed cut to Medicaid rates since it is not a fixed rate service.

#### B. Potential Focus Areas

- Perform a comprehensive review of existing funding and contracting methods by ODS and the CSBs to determine the extent to which current policies and operating procedures present barriers to the employment of service recipients in integrated settings.
  - Identify administrative, bureaucratic, funding and oversight practices that are inconsistent with the goal of increasing employment outcomes statewide.
  - Establish a plan and process to correct procedures that do not add value to the effort to meet identified employment goals.
  - Review licensing, certification, accreditation and other standards to ensure that they facilitate the achievement of employment outcomes.
- Determine the extent to which existing policies and practices regarding transportation inhibit or prevent individuals receiving support to access community employment alternatives.

- Conduct a review of rates and payment approaches being used across the state to assess variability and effectiveness. Consider establishing guideline recommendations for establishing rates and structures that enhance employment outcomes and establish integrated employment as a priority service.
- Consider adding incentive mechanisms or payment structures to the current rate setting and reimbursement system to offer increased funding for the achievement of desired performance outcomes at the CSB and provider levels.
- Assess expectations regarding employment support staff qualifications with an eye toward expanding the use of nontraditional employment supports and job coaches.

## IV. Training and Technical Assistance

### A. Key Findings

- There is limited state level training available that specifically addresses supported employment. There is no requirement for job coach or employment specialist certification in current waiver guidelines, although CARF does look at staff qualifications.
- ACCSES has both a regional WIPA project and receives funds for work incentives training from the MIG. As a result of these initiatives, 1619(b) use has increased by 60%. ACCSES offers two-day workshops and two- to three-hour sessions for families and other stakeholders.
- Forty to forty-five people have completed intensive six-day training in work incentives and benefits (not WIPA certification).
- Some training has been available from George Washington University, but this has declined with the implementation of the Technical Assistance and Continuing Education (TACE) centers and refocusing of those resources. VCU has been a source of training in the past and some training has been available from the University of Maryland. Some providers use online training options. DRS supported participation in VCU's web course up until about three years ago.
- General introductory training in supported employment is available in many areas across the state through the College of Direct Support but it is not sufficient to train job developers and other key employment staff.
- There was general agreement that it would be helpful for the state to put more emphasis on training and set clear expectations.

- Providers from more rural parts of the state noted the importance of accessible, learning opportunities for staff.
- A grass roots provider forum in Northern Virginia has provided an opportunity for shared learning on employment related topics, but the conference has not been replicated in other parts of the state.
- Stakeholders reported that the system at large has no mechanism for enabling staff to access the information that the need to enable service recipients to become employed. Training needs were identified in several areas including:
  - Medicaid Buy-In, and the eligibility requirements, application procedures and operations of federal and state benefit programs.
  - Family Training to enable parents to understand state and federal benefits programs, school to work transition, options for employment and self employment, and alternatives to sheltered and non-work day programs,
  - Using person-centered planning and service approaches to enable people to fully access the supports they need.
  - The need to improve and clarify the role and functioning of the individual assessment process with specific reference to employment.
  - The development of effective employment skills including job development and marketing, business operation, job coaching, and customization.
- Need for training for teachers/school personnel, as well as provider agency and DRS staff on the development and implementation of effective transition plans and activities.
- March 15-17, 2010 transition conference only has two to three sessions on employment out of 60 sessions.

## B. Potential Focus Areas

- Consider the development of a work group made up of key representatives from ODS, the CSBs, provider agencies, the state Developmental Disabilities Council, self-advocates and families to frame a training agenda and implementation initiative for the state.

- Consider the development of a system of communication and feedback to ensure all key system leaders and relevant stakeholder groups have information on current activities and initiatives and input on the changes that need to take place.
- Consider developing an annual employment conference targeted to staff supporting individuals with I/DD that showcases high performing CSBs, provider agencies and programs. Structure the conference to offers training workshops and seminars addressing key areas of system need, such as job development and follow-along support, and provide opportunities for state and local leaders to communicate their commitment to improving integrated employment outcomes among individuals with DD receiving publicly financed support.
- Determine options in collaboration with universities such as VCU and others for providing technical assistance to CSBs and provider agencies to build structures and systems to better support individual community employment opportunities and reduce reliance on facility-based services.
- Work with the SELN Project Team to learn about other states' training and professional development efforts related to employment (e.g., Mission Employment conferences in Massachusetts, New Day Conference in California, long-term approach in Washington), as well as other state's efforts to inform and educate and involve self-advocates and families in such efforts.
- As part of the overall efforts to work strategically with self-advocates as a catalyst for increased employment, develop training and materials for self-advocates regarding employment, and advocating for integrated community employment services. Utilize People First of Missouri as a key ally in this effort.

## V. Interagency Collaboration

### A. Key Findings

- Collaboration between ODS, CSBs, provider agencies, and others was described as generally good but lacking a focus specifically on improving employment outcomes.
- The Medicaid Infrastructure Grant is based in DMAS. The current grant is \$750,000, and the resources support work incentives training provided through Virginia ACCSES.

- DRS has a strong investment in the Woodrow Wilson Rehabilitation Center. While some people with ID use it for specialized training and support (driver's education, one respondent noted a food service training program, assistive technology), it is unclear how widely it benefits ODS consumers.
- Implementation of order of selection has made it hard for ESOs to maintain employment staff. The slowdown in referrals, even with the increase in waiver rates for integrated employment, has made supporting staff difficult. Providers report struggling to build capacity. One CSB reported losing two supported employment positions in the past year because of other CSB needs and limited funding.
- Some concern was raised about DRS limiting the hours of support individuals are provided, that it takes too long to get people employed and about delays in eligibility determination that make it difficult to keep a job seeker motivated and moving forward. On the other side, concern was expressed about barriers to the transition back to long-term funding and CSB services. One respondent noted that group supported employment was a more popular outcome under the waiver because the handoff to long-term support is easier.
- Northern Virginia has had some success with interagency transition teams (school/DRS/CSB).
- DRS has a limited pool of funds (\$7 million) available to provide long term supports to individuals who do not have access to other resources. These funds (Long Term Employment Support Services [LTESS]) are limited.
- A recommendation was made that it would be powerful if commissioners across DRS, DMHDS, and DMAS could establish a joint position on employment as a priority and agree on steps to move the agenda forward.

#### B. Potential Focus Areas

## VI. Services and Service Innovations

#### A. Key Findings

- A base of progressive ESOs offer effective employment supports to persons throughout the state, 56 ESOs are currently authorized to provide employment services.
- CSBs serve as both regional funders and, in some cases, provide direct employment and other supports. About 1/3 (16-17) of the CSBs are DRS vendors. The Fairfax-Falls Church CSB, for example, directly supports 130 in supported employment with CSB staff the remainder receive support through local vendor agencies. Approximately one-third are supported by the

Medicaid waiver program, two-thirds through local funding. CSBs may support waiver program participants with additional non-waiver funded services as necessary.

- There is significant engagement in NISH/AbilityOne contracting in Virginia, particularly in the metro D.C. area, and some affirmative industry models with a blended workforce including a laundry service in Tidewater.
- The new focus on person centered planning provides an opportunity to engage in a conversation about employment. The process is still developing, and is not yet being consistently implemented. It was noted that employment is the seventh section of the plan, and people are tired by the time they get to it. It would benefit from being moved to a more prominent place.
  - Concern was expressed that the person-centered planning processes in use throughout the state do not sufficiently emphasize available employment options and. Service coordinators are not asking questions during the person-centered planning meetings that support service recipients on a pathway to employment, For example, people may be asked, “do you want to work” rather than “what work do you want to do.”
- ODS pursued establishing a consumer directed supported employment option that would allow individuals to hire their own on the job supports. The provider organization expressed concern this innovation on the basis that staff may lack the credentials necessary, and believed that the approach would discredited certification of staff.
- Limited waiver investment in integrated employment seemed to be a common concern. A couple of respondents noted that if the person was waiver eligible they tended to focus on enclaves first because of support needs. Waiver eligibility is also a concern here. Self-advocates who participated in the stakeholders meeting reported that they are not waiver eligible.
- Northern Virginia has strong integrated school services, but at age 18 individuals with disabilities are routinely directed toward center-based services. Support options leading to integrated employment are limited. One participant reported participating in a program based at George Mason University, but then was only offered workshop placements when she turned 22. Concern was expressed that centers for individuals aged 18-22 (e.g. Davis Center) are education focused and not community focused. Funds are focused on center-based services (“you don’t have dollars under the waiver but we can give you day services.”)
- A couple of Project Search initiatives are in place. One focuses on persons with autism spectrum disorder (ASD). Placement on college campus was also mentioned as an option leading up to transition to adult services. Some noted

that these kinds of transition projects are locally based and not well shared across the state as models. Transition efforts are developed locally and patched together.

- DRS will pay for development of a Plan for Achieving Self Support (PASS) on an outcome-based basis.
- Transportation is only provided to persons on the waiver. Regulations require that a job coach be present at the job site for a person to receive transportation services, limiting its usefulness to individuals in individual employment.

#### B. Potential Focus Areas

- Develop clear quality expectations and standards for delivery of employment services across key program areas, including person-centered planning, discovery, career planning, assessment, job development, placement, placement supports (with an emphasis on natural supports), etc. Integrate these standards within contracting, program monitoring, individual service planning, etc. The APSE standards may be a good basis for this.
- Create a more prominent focus on employment in the state's person centered planning process, and increased training for service coordinators to improve their ability to support service recipients reach their employment goals.
- Identify key barriers that the current system poses for persons interested in competitive employment such as transportation, access to DRS funding, transition, and support coordination. Request assistance from other SELN states to determine their approaches they are using to address similar barriers.
- Work with the CSBs, providers, university staff, and others to develop strategies for supporting providers interested in shifting from segregated or facility based employment to integrated, community employment and consider whether providing incentives for the development of freestanding community employment programs may be worth pursuing, as an alternative to re-directing the resources and services of existing facility-based programs.

## VII. Employment Performance Measurement, Quality Assurance, and Program Oversight

#### A. Key Findings

- CCS3 - Community Client Services Database. The database is owned by the Department of Behavioral Health and Developmental Services (DBHDS), and is used by CSBs. The data system presents several barriers that make it

difficult to fully utilize the information. It is difficult to obtain data extracts covering key areas of interest, and changes to the database need to be approved by a governing committee.

- CSBs maintain their own MIS systems, and currently 16 systems are in place across the 40 CSBs.
- Information on employment outcomes and the distribution of employment options in effect in the state is not available. There is a need for accurate information about the range of models including individual jobs, self-employment, affirmative industry, NISH, and group employment models to support strategic planning and goal setting.

#### B. Potential Focus Areas

- Establish a standard outcome data system across waiver and non-waiver services.

### VIII. Other Notes

- The Virginia Medicaid Buy-In (Medicaid Works) is very restrictive and has limited participation (several dozen participants). Initial eligibility requires an income of 80% of poverty level. Once enrolled, can earn up to \$40,000 and maintain assets up to the 1619b threshold level. Retirement accounts are also excluded from consideration. It was noted that an individual could use Medicaid Works to increase their ability to save or maintain other assets. An individual on Medicaid Works will maintain waiver eligibility.
- Current priority in the DD Council procurement is outreach to small and medium sized business on tax incentives. There is opportunity to shape other employment goals in the future.