

1240-J – EMPLOYMENT SERVICES

EFFECTIVE DATE: 03/01/23

APPROVAL DATE: 08/04/22

I. PURPOSE

This Policy applies to ALTCS E/PD and DES/DDD (DDD) Contractors; and the Fee-For-Service (FFS) Program Tribal ALTCS. This Policy establishes requirements regarding the provision of employment services and support services for ALTCS members.

II. DEFINITIONS

For purposes of this Policy:

ENCLAVE

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 work center staff. The workers remain on the work center's payroll and authorizations to pay subminimum wage is based on the work center's certificate.

MOBILE WORK CREW

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 usually includes janitorial, groundskeeping, or maintenance.

SELF-EMPLOYMENT

Means any of the following is met:

- The person is directly involved in their own recognizable business, trade, or profession. This may include odd jobs or irregular and varied activities,
No employer-employee relationship exists. This occurs when the person controls the hours worked and how the work is performed, or
- The person works for someone else on a commission basis but pays their own federal taxes. Note: In general, if taxes are deducted from the person's pay, the person is NOT self-employed.

Additional definitions are located on the AHCCCS website at: [AHCCCS Contract and Policy Dictionary](#).

III. POLICY

AHCCCS believes that every person should have the opportunity to work competitively in the community when the right kind of job and work environment is identified, and appropriate supports are present. The Contractor is responsible for providing these employment services and supports, while applying this philosophy of empowerment and opportunity through implementation of employment programs, measurement of outcomes, and communication with all providers and subcontractors. Employment-related initiatives may be created through the collaboration between AHCCCS and the Contractor.

A. EMPLOYMENT FIRST

The Arizona Employment First Executive Order (2017-08) requires state agencies that provide services and supports to persons who have disabilities to implement Employment First principles and practices and to coordinate efforts to improve employment opportunities for working-age adults who have disabilities. AHCCCS is a required and vital partner in Arizona's Employment First initiative. The Contractor is required to adopt the following principles and ensure service planning and service delivery aligns with these principles:

1. Employment is the first and expected outcome for all working aged Arizonans who have disabilities.
2. Members who have disabilities will have access to competitive integrated work settings.
3. Members receive information to help them make informed decisions about employment, including, but not limited to, the following:
 - a. Employment supports and services,
 - b. Knowledge about the value of employment on their quality of life,
 - c. Understanding of how work affects public benefits and resources so that employment remains an option to the member without fear of losing essential benefits,
 - d. Focus on an individual's strengths and interests, and
 - e. Consider appropriate supports and services such as supported and customized employment and assistive technology.
4. Long-term supports and services, if needed, are made available for members to be successful in the workplace.

B. EMPLOYMENT SERVICES

Discussions with members about employment should be occurring with all members of working age, beginning at least at the age of 16 to help prepare with transitioning to adulthood, and not solely with members explicitly expressing interest in employment or employment-related supports and services.

Employment services are to be individualized to the members through a diverse range of employment options, from pre-employment services to post-employment supports. Program design must offer opportunities for members to participate in the range of pre-employment services based on their job goals, interests, abilities, and not by any time-or impairment-limited approach (i.e., members may enter the range of pre-vocational services at any part of the process, from career counseling to job search).

At a minimum, the Contractor shall:

1. Deliver pre-employment services, which may be provided individually or in a group setting, to prepare members for engagement in meaningful work-related activities, such as volunteerism or services necessary to achieve full-or part-time competitive integrated employment, including self-employment. This may include, and is not limited to, the following:
 - a. Vocational assessments to determine strengths, knowledge, skills, interests, and abilities,
 - b. Career/educational counseling,
 - c. Access to transportation training, including how to use public transportation and/or 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. Other training, like resume preparation, job interview skills, study skills, budgeting skills (when it pertains to employment), professional decorum, and time management, and
 - i. Assistance in job search.

2. Deliver post-employment (job coaching) services, which may be provided individually or in a group setting, to support members with maintaining their current employment. This may include:
 - a. Access to transportation training, when necessary, including how to use public transportation and/or mobility training,
 - b. Worksite orientation and training to ensure the worksite meets the member's needs,
 - c. Direct support in developing positive work-related habits, attitudes, skills, and work etiquette,
 - d. Monitoring and supervision,
 - e. Assistance in performing job tasks, such as teaching physical, on-the-job skills,
 - f. Supportive counseling, such as resolving work issues and personal concerns that may interfere with job performance,
 - g. Ongoing communication with the employer to assess the satisfaction with job performance,
 - h. Providing intervention and technical assistance to an employer, as needed, to support the success of the member, or
 - i. Assistance in learning new skills necessary for maintenance or advancement.

3. Ensure members are being educated on the following:
 - a. Arizona Disability Benefits 101 (DB101), so that members:
 - i. Understand how disability benefits, such as SSI and SSDI, will change with working income and choose an employment goal based on that understanding, and
 - ii. May set up their own DB101 accounts and use it independently to make future employment decisions.
 - b. Rehabilitation Services Administration/Vocational Rehabilitation (RSA/VR), so that members understand:
 - i. RSA/VR, as the primary payer of employment services, must be offered to members interested in gaining employment,
 - ii. RSA/VR eligibility criteria,
 - iii. How the RSA/VR program can assist in their pursuit of becoming employed,
 - iv. The types of services RSA/VR may provide, and
 - v. Are able to make informed decisions about participation in the RSA/VR program and request a referral to RSA/VR when interested.
 - 1) Referrals to RSA/VR must include a referral packet that includes, at a minimum, the following:
 - a) Signed Release of Information (ROI),
 - b) Documentation with diagnostic information,
 - c) Current and relevant medical, psychological, and vocational evaluations, and
 - d) Guardianship paperwork, if applicable.
 - 2) The referral packet will also be necessary for self-referrals to RSA/VR once discovered the members are enrolled with ALTCS.
 - c. Community employment resources, including ARIZONA@WORK, so that members understand what is available in their community.
 - d. AHCCCS Freedom to Work (Medicaid Buy-In), so that members:
 - i. Understand it is affordable health insurance for individuals with disabilities who are employed, and
 - ii. Understand key concepts of the program, such as how to qualify, how to apply, what services are covered, and cost of monthly premiums.
 4. Ensure transportation is covered for eligible members when traveling to and from an employment service site. Employment service sites may consist of being located at an AHCCCS-registered provider, or in such cases with enclaves or mobile work crews where members perform employment duties at the job site and are supervised by provider staff.
 5. Ensure the settings where employment services are provided are integrated community work settings. An integrated work setting is a worksite that is located in a naturally occurring community of residential, business, social, or educational environments. Integrated work settings require that workers with disabilities must have the choice and opportunity to:
 - a. Work alongside workers without disabilities, other than paid staff who are providing services to that individual,
 - b. Perform the same tasks with the same expectations that a non-disabled peer would perform for pay,
 - c. Freely participate in the social aspects common to the workplace, including but not limited to, having access to all common areas of the enterprise, eating lunch, and taking breaks together, and

- d. With respect to facility-based services and these other standards for integrated work settings, members must have the choice and opportunity to:
 - i. Develop products and services which are prepared in the facility but sold or provided out in the general community,
 - ii. Have alternate schedules for services and activities,
 - iii. Schedule activities at their own convenience,
 - iv. Have access to entrances and exits to the setting and any and all areas within the setting,
 - v. Engage in work and non-work activities that are specific to their skills, abilities, desires, needs, and preferences including engaging in activities with people of their own choosing and in areas of their own choosing (indoor and outdoor spaces), and
 - vi. Have access to food during breaks and lunch.

6. Ensure person-centered employment planning occurs with members interested in gaining or maintaining employment. Employment planning is a team effort, driven by the member, through informed choice, and shall include:
 - a. Members having an integrated employment goal (group or individual supported),
 - b. At a minimum, an annual readiness assessment conducted for community-based employment. If a member is not ready for the next step; goals are developed to address barriers,
 - c. The duration of the service, as defined by the person-centered service plan team,
 - d. An outline the goals to be achieved,
 - e. DB101 and work incentive consultation to understand how working income may affect benefits, and
 - f. Opportunities for progressive moves.

7. Ensure members in facility-based, congregate employment programs prior to March 17, 2023, may continue to receive those services without having a goal of working outside of the facility, however, providers must continually assess and offer services geared toward these members obtaining a competitive job in the community.

8. Contract with a sufficient network of providers specializing in employment services covering all regions in the Geographical Service Area (GSA). The Contractor shall also educate providers on the importance and benefits of referring members interested in employment to providers specializing in employment services, while ensuring processes are in place to educate members about available services in their area from these employment agencies.

9. Provide priority to those providers under contract with ADES/RSA when entering into subcontracts for employment services and make all reasonable efforts to increase the number of providers who are mutually contracted with ADES/RSA for employment services.

10. Attendant or personal care may be medically necessary during the provision of pre- or post-employment services or at the employed member’s workplace before and after work and/or during breaks. These services are not a substitute for the services or accommodations to which a member may be entitled pursuant to the Americans with Disabilities Act and/or the Rehabilitation Act of 1973 including reasonable accommodations rendered by an employer.