



APPENDIX 2

NEW YORK DRAFT PLAN TO INCREASE COMPETITIVE EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

Final Draft - Sept 30, 2013

I. Introduction

In accordance with the Health System Transformation for Individuals with Developmental Disabilities Agreement as defined in the Special Terms and Conditions, this document sets forth New York State's strategies and plan toward increasing competitive employment. This plan describes specific strategies to: increase the number of individuals engaged in competitive employment; increase the number of students that transition from high school to competitive employment; collaborate with the educational system to ensure that stakeholders are aware of employment services; and transition workshop participants to competitive employment or other meaningful community activities.

II. Increasing the number of individuals and high school students in competitive employment.

Competitive employment is defined as employment in an integrated setting, in the general workforce, where a person earns at least minimum wage. In order to increase the number of people who are competitively employed there must be growth in the number of new people receiving supported employment services. New York will encourage growth in supported employment by working collaboratively with Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR) and by creating a career planning service to assist individuals with the transition to competitive employment.

1. Connect Individuals to ACCES-VR

Competitive Employment starts with ACCES-VR which is the state agency designated to provide employment services to individuals with disabilities, including individuals with developmental disabilities. Annual growth in the number of individuals applying for and receiving ACCES-VR services will result in an increase in the number of individuals with developmental disabilities who are competitively employed.

OPWDD will contribute to this annual growth by working collaboratively with ACCES-VR to increase the number of individuals who apply for and receive intensive supported employment services through ACCES-VR. All individuals that apply for OPWDD services will receive information about the availability of supported employment services. If an individual is



interested in employment, OPWDD's regional office will connect them with their local ACCES-VR office. In an effort to increase the number of students who transition from high school to employment, OPWDD regional offices will refer all transition aged youth to their local ACCES-VR offices. Individual who are unable to receive ACCES-VR services will have the option of receiving OPWDD's Pathway to Employment service.

2. Create Pathway to Employment

Pathway to Employment is a new person-centered, comprehensive career planning and support service that will provide assistance for participants to obtain, maintain or advance in competitive employment or self-employment. The service will be available by March 1, 2014. It is a focused, time limited service that engages a participant in identifying a career direction, provides instruction and training in pre-employment skills, and develops a plan for achieving competitive, integrated employment at or above minimum wage. Within 12 months, or sooner, the outcome of this service is documentation of the participant's stated career objective; a detailed career plan used to guide individual employment supports; and preparation for ACCES-VR intensive supported employment services.

The Pathway to Employment service will be available to anyone who needs additional supports before transitioning to ACCES-VR or needs supports to assist them in maintaining or advancing in employment. Individuals receiving day habilitation, prevocational or workshop services and high school students will have the option of receiving Pathway to Employment services.

In an effort to ensure that Pathway to Employment services result in an increase in the number of people engaged in competitive employment, the service will only be authorized to be provided by supported employment agencies. In addition, voluntary agencies will be required to complete an OPWDD approved training prior to the delivery of Pathway to Employment services. A Request for Proposal (RFP) is currently under development for an entity to develop the Pathway to Employment curriculum and provide statewide trainings to voluntary agencies.

Once Pathway to Employment services are available, OPWDD will work with voluntary agencies to educate families and individuals currently receiving day habilitation, prevocational and workshop services about the service and how it can assist them in the transition to competitive employment.

3. Collaborate with State Education Department

Both ACCES-VR and the Office of Special Education (OSE) are within the New York State Education Department (SED). OPWDD will work the educational system to educate



stakeholders about supported employment services. Discussions are currently underway between OPWDD and ACCES-VR to create a Supported Employment Memorandum of Understanding designed to formalize the role that each agency will have in developing strategies to assist people with development disabilities in achieving competitive employment.

OPWDD is also working with OSE to educate school district and high school administrators, regional transition specialists and Board of Cooperative Educational Services (BOCES) superintendents about employment options for high school students. Efforts are also underway to develop a partnership with the New York State School Boards Association to education their membership about OPWDD services including employment.

OPWDD will continue to utilize the Employment Training Program (ETP) as a way to partner with schools and educate stakeholders about employment while students are still in high school. There are currently 192 students participating in ETP. Components of the program include discovery and job readiness training. A customized approach is used to carve a job that matches a person's interests and skills with the needs of a business. During the internship, OPWDD pays the ETP participant a minimum wage salary (with non-Medicaid funds). Job development and job coaching supports are provided by the high school. Every ETP participant has a job description that is used to assess their progress in meeting the employer's expectations. At the end of the internship the ETP participant is hired by the business. Several businesses that have hired ETP interns have indicated that they were initially hesitate to hire a worker with developmental disabilities. The paid internship reduced risk for the business and provided an opportunity for the business to see that a person with developmental disabilities could be successful in the general workforce. OPWDD has used the paid internship program to partner with several high schools and BOCES.

Approximately 67% of the high school students that participate in ETP are working after leaving high school. ETP has created opportunities for OPWDD to get into high schools and connect with educators and families prior to OPWDD's Front Door Process. Very often teachers and families are not aware of OPWDD services. ETP triggers discussions about the OPWDD eligibility process before students leave high school. This has resulted in a smoother transition for families.

OPWDD will also utilize its collaboration with the State Education Department on the Partnership in Employment Systems Change grant, which is detailed in the October 1, 2013 Quarterly Report, as a way to educate stakeholders about supported employment options for people with developmental disabilities.

4. Improve Job Retention



In addition to focusing on annual growth in the number of people receiving supported employment services, OPWDD will also focus on strategies that assist individuals in the retention of jobs. On an annual basis approximately 1,000 people transition from ACCES-VR intensive supported employment services to OPWDD extended supported employment services. Approximately 800-900 people lose those jobs becoming un-enrolled in supported employment services, resulting in annual supported employment growth of 2%-3%. This accounts for the lack of historical growth in the number of people with developmental disabilities who are engaged in competitive employment. Data from OPWDD's supported employment programs provides the following information about the historical trend for job retention:

- Sixty-eight percent of people who transition from ACCES-VR intensive supported employment services to OPWDD extended services remain employed one year after placement.
- Retention is fifty-one percent after two years
- Retention is forty percent after three years
- Retention is thirty-three percent after four years
- Retention is thirty percent after five years

Data from OPWDD's Employment Training Program provides information on the following factors that contribute to job loss:

- Inability to Master Job Skills-18%
- No Longer Want to Work- 16%
- Behavior Challenges- 15%
- Lack of Transportation- 13%
- Financial Disincentive-12%
- Layoff-8%
- Dissatisfaction with Job 8%
- Medical Needs-2%
- Other-8%

OPWDD is developing the following strategies to improve job retention for individuals receiving supported employment services:

- Incentivize Employment

The current billing and fee structure for supported employment is not comparable to the billing and fee structure for day habilitation, workshop or prevocational services. This has created a financial disincentive for providers where many voluntary agencies provide supported employment services at a financial loss.

OPWDD will work with the Department of Health to create a new supported employment billing and fee structure that is more reflected of the true cost associated



with helping an individual retain employment. The new structure will be more in line with fees for other day services, creating an incentive for providers to assist individuals in transitioning from day services to employment. Beginning in October 2013, OPWDD will conduct a review of its 176 supported employment providers to identify the rates, billing cycle and level of supports needed to successfully assist individuals in maintaining employment. The review will be completed by December 31, 2013. By January 31, 2014 recommendations will be made to the Department Health for a new supported employment fee and billing structure. Components of the new supported employment fee and billing structure will include performance measures, tiered funding levels based on support need and transportation cost.

- **Provider Training and Performance Monitoring**

Many of the factors contributing to job loss indicate that the quality of supported employment services must be improved to ensure that appropriate discovery, job carving/job development and job coaching are provided by voluntary agencies. While OPWDD has trained over 2,000 staff of provider agencies in the areas of assessment, planning, job development and job coaching, the turnover of provider agency staff is such that ongoing provider training is necessary. OPWDD will continue to offer the Innovations in Employment Training Series to providers of supported employment, day habilitation, prevocational and workshop services. OPWDD is also in discussions with ACCES-VR to align the supported employment training of both agencies to ensure that similar expectations of success are reinforced.

In addition to training it is also important that adequate supervision is provided to front-line supported employment staff. To ensure that supported employment agency supervisors are providing guidance and direction to front line staff and are monitoring their employment outcomes, OPWDD will be convening regular provider meetings by region to discuss retention, the reasons for job lost and promising practices that can be used to improve outcomes. In-person meetings will be supplemented with provider agency specific calls focused on their employment data. Effective December 2014, OPWDD will release an annual report on its website on provider supported employment outcomes with data by provider on:

- The number of people receiving supported employment services;
- The number of people engaged in competitive employment;
- The number of people who are not working; and
- The number of people who have lost jobs in the last 12 months.

- **Improved Data Collection**



In 1993 an interagency agreement was established between OPWDD, ACCES-VR, Office of Mental Health (OMH) and Commission on the Blind and Visually Handicapped (CBVH) regarding supported employment where OMH was designated as the agency that would collect supported employment data. In order to create and implement strategies that improve employment outcomes for people receiving SEMP services, OPWDD has decided to collect its own employment data.

In May 2013, OPWDD began to collect data on the number of people with developmental disabilities receiving supported employment services, number of individuals that are employed, their salary, the employment setting (integrated or segregated) and employment start date. This data was used to establish the March 31, 2013 baseline. In August 2013, providers were required to submit monthly reports on the number of people on their supported employment roster, whether those individuals are employed, whether the employment setting is integrated or segregated, the type of employment placement (individual or enclave) and employment start date. For purposes of the data collection, a segregated setting is defined as a work setting where workers with developmental disabilities and/or mental illness only interact with, and work alongside, other workers with disabilities. The data that is now being collected from voluntary agencies provides better information about the following:

- Retention by provider and region of the state;
- Reason for job lost; and
- The amount of time a person is unemployed

This data will be use to work with provider agencies to create additional strategies to improve retention.

III. Transitioning People from Workshops to Competitive Employment and/or Other Meaningful Community Activities.

The main components of OPWDD's workshop transformation are strategies for provider agencies to convert to alternative business models and strategies for workshop participants to transition to integrated employment, retirement or other community inclusion options. The current demographics of workshop participants are as follows:



Age	Workshop Enrollment	% of Total
18-33	1747	21.5%
34-43	1554	19.2%
44-50	1562	19.3%
51-58	1691	20.9%
59-96	1547	19.1%
Total	8101	100
Mean Age 46		
Median Age 47		

Individualized Service Planning Model (ISPM) Scores	Statewide Totals	% of Workshop Participants
1	3377	42%
2	110	1.3%
3	3346	41%
4	373	4.6%
5	33	0.40%
6	11	0.13%
Missing Info	851	10.5%
Total	8101	100

1. Stakeholder Engagement

As part of the process of creating the Employment Transformation Plan, OPWDD convened an Employment Committee comprised of parents, self-advocates and providers and Community Dialogues were also convened across the state to solicit feedback from parents, self-advocates and providers. Both of these activities gave OPWDD the opportunity to share information and solicit feedback from stakeholders. This feedback has been incorporated into the Employment Transformation Plan. OPWDD will engage in ongoing communication and dialogue with stakeholders as the Employment Transformation Plan is finalized and implemented.

Feedback from stakeholders included the following:



Strategies to Improve Employment Outcomes

- a. There needs to be greater collaboration between ACCES-VR and OPWDD. State agencies should work together to better align and streamline their eligibility processes.
- b. More information must be available to students and families about the impact of employment on their benefits and how work incentives can be utilized.
- c. OPWDD should expand the Employment Training Program (ETP) which will increase partnership with schools and increase the number of students who transition to employment upon leaving high school.
- d. The State should increase business incentives to encourage the employment of people with developmental disabilities.
- e. A new flexible and tiered supported employment fee structure is need that is more in-line with the true cost associated with assisting someone in achieving their employment goals. Flexibility must be built into the fee structure that would allow voluntary agencies to provide supports that are efficiently and effectively tailored to the changing support needs of each person.
- f. If needed, transportation should be included in supported employment fees.

Strategies related to Workshop Transformation

- a. Concerns were raised by parents with children in their 40s who have attended workshops for over 20 years. Parents gave examples of the emotional and psychological stress that would be caused by the transition to community employment.
- b. Concerns were raised about the need for a safety net for people who may not be successful in employment and the need to provide sufficient supports on the job.
- c. Concerns were raised about the lack of jobs in rural parts of the state.
- d. Work centers were described as vocational training centers that not only prepare people for competitive employment but provide a safety net if people are not successful.
- e. Concerns were raised about the lack of a safety net in the plan and it was suggested that workshops could be transformed to serve that purpose.
- f. Concerns were raised about the lack of choice available to people if they want to remain in a workshop.
- g. Concerns were raised about the interpretation of the Olmstead Decision and whether it requires workshops to be closed.
- h. Self advocates raised concerns about transportation and stressed that community employment is not possible if people do not have reliable transportation.
- i. Since the policy decision was made to end new enrollments into workshops effective July 1, 2013, consideration should be given to allow for the natural



attrition of workshop participants especially since 40% of workshop participants are over the age of 50.

- j. For the remaining 60% of workshop participants annual goals in the range of five to ten percent a year should be identified to transition people out of workshops to competitive employment.
- k. Consideration should be given to the large number of people who are currently employed in workshops and the time it will take to engage in the discovery and transition planning needed to assist them in the transition to either competitive employment or other meaningful community activities, therefore OPWDD funding for workshops should phase out over 9-11 years. This timeline is in line with what has been done in other states.
- l. Supported Employment must be restructured to fund the supports people will need as they transition to competitive employment. Job coaching supports must be available whether a person needs one-on-one or lifelong coaching supports.
- m. Data systems should be created to track workshop transformation, including the number of people who transition to competitive employment, the number of hours per week they are employed, the number of support hours they receive, what happens to people who are not working and the how satisfied individuals and families are with the their post workshop options.
- n. As people transition to competitive employment attention must be paid to case management which will be essential in assisting individuals and families navigate employment and community inclusion options.
- o. Technical assistance and financial support must be available to voluntary agencies with large physical plant infrastructures, mortgages or equipment obligations. Assistance will be needed in finding alternative usages for properties. Technical assistance will also be needed to retrain staff and upgrade their skill set so they are successful in assisting individuals in the transition to competitive employment.
- p. The business community should be engaged in discussions about ways to increase the employability of people who will be transitioning from workshops.

2. Workshop Conversion

While there are 113 workshops currently in New York, several providers have already had success converting their workshops into integrated community businesses using the affirmative business or social enterprise model. OPWDD's central office will work with workshop providers interested in restructuring their business model to create employment opportunities in the general workforce where people with disabilities have opportunities to work alongside people who do not have disabilities.

OPWDD's central office will convene a Workshop Conversion Workgroup comprised of provider agencies that have converted to affirmative businesses or social enterprises and



universities within New York State that have done extensive research on the outcomes and criteria for successful workshop conversion. The Workshop Conversion Workgroup will make recommendations to OPWDD regarding the type of technical assistance and support that will be needed to encourage and incentive workshop conversion. The goal of workshop conversion will be to establish models of integrated employment for people who choose not to retire or have great difficulty maintaining competitive employment.

The workgroup will be convened in November 2013 and recommendations for alternative business models will be made by March 1, 2014. OPWDD will issue workshop conversion guidance to voluntary agencies by May 1, 2014. Providers interested in workshop conversion will be required to submit conversion plans to OPWDD by September 1, 2014. Plans will be approved by November 1, 2014. In addition to recommendations from the Workshop Conversion Workgroup, plans will be required to include the following: business plans for creating a affirmative business or social enterprise; strategies for recruiting and maintaining an integrated workforce; plans for how existing workshop contracts will fit within the new business structure; plans for recruiting new business partners; plans to repurpose workshop space; supervisory and management opportunities for employees with disabilities and plans to assist people with developmental disabilities who are interested self-employment.

3. Assisting Workshop Participants in Transitioning to Competitive Employment

OPWDD regional offices will work with provider agencies to use a combination of age and ISPM scores to identify workshop participants who may be interested in transitioning to competitive employment. The ISPM combines the Adaptive, Health and Behavioral Scores from the DDP2. The ISPM score provides information on the amount of direct support a person needs in the areas of motor skills, cognitive skills, communication, self care, activities of daily living, managing medical conditions and behavioral supports. The score provides the following information:

- A score of 1 indicates that a person has low need for support with adaptive skills and medical conditions and low need for behavioral supports.
- A score of 2 indicates that a person has low need for support with adaptive skills and medical conditions and high need for behavioral supports.
- A score of 3 indicates that a person has medium need for support with adaptive skills and medical conditions and low need for behavioral supports.
- A score of 4 indicates that a person has medium need for support with adaptive skills and medical conditions and high need for behavioral supports.
- A score of 5 indicates that a person has high need for adaptive and medical supports and low need for behavior supports.
- A score of 6 indicates that a person has high need for adaptive, medical and behavioral supports.



A multi-year strategy will be needed to identify workshop participants who are: interested in competitive employment, ready to begin a discovery and assessment process that identifies the supports and services that will assist them in becoming employed, and ready transition to ACCES-VR employment services. OPWDD estimates that 50% of workshop participants could successfully transition to competitive employment over six years. OPWDD regional offices will work with providers to engage workshop participants in the following transition activities:

- **Discovery, Assessment and Transition Planning**
Pathway to Employment services will be offered to all workshop participants interested in transitioning to competitive employment. Discovery and assessment will focus on both the individual and their environment. This process will be used to identify supports and services that will assist an individual in obtaining competitive employment. Since a variety of discovery, assessments and transition planning tools already exists, OPWDD will not require the use of a specific tool but providers will be required to cover a minimum of the following:
 - An assessment of the individual- soft skills (social behavior, ability to handle stress, willingness to work with others, etc), job performance (attendance, punctuality, hygiene/grooming, etc), communication skills, work ethic (motivation, initiative, focus, etc), interest (likes, wants, dislikes, dreams, etc).
 - An assessment of the individual's situation: transportation needs, family supports, physical and mental health, safety, etc.
 - Opportunities for individuals to discover different community experiences to obtain information that will be use to create a person-centered transition plan.
 - Transition plans will include both work and non work activities that create opportunities for individuals to engage in meaningful activities.
 - Transition plans will include activities and options that allow individuals to maintain social networks and friendship established in the workshops.
 - Families and/or an individual's circle of support will be included in discovery, assessment and the transition planning process.
- **Family Engagement**
Families will be actively involved in the discovery, assessment and planning process for workshop participants who will be transitioning to competitive employment. Families will also receive information about the impact of working on benefits, how their loved one will travel to and from work; what other meaningful community activities their loved one will be engaged in when they are not working; how job coaching supports will be provided; what happens if their loved one loses their job; and the type of supports that will be provided to help their loved one obtain new employment.



- **Staff Training**
Workshop staff will be trained on how to perform the discovery, assessment and person-centered planning necessary to assist individuals in transitioning from workshops to supported employment. OPWDD's Innovations in Employment Training and the Pathway to Employment curriculum yet to be development will be utilized as ways to retrain staff. OPWDD will also encourage providers to create opportunities for workshop staff to work as a team with their supported employment staff.
- **Peer Mentoring**
OPWDD will partner with providers, independent living centers and self advocates to identify peer mentors who have successfully transitioned from workshop services to competitive employment. Peer mentors will share success stories with families and workshop participants and encourage them to try competitive employment options.
- **Self Direction**
Self direction will be explored as a way to assist in the transition to competitive employment. This option would be especially useful for individuals who want to hire their own supported employment staff.
- **Self Employment**
As part of the assessment and transition planning process self employment will be included as a possible career choice. Self employment could be funded by ACCES-VR, or as part of Pathway to Employment or Supported Employment.

4. Options for People Who Will Not Be Transitioning to Competitive Employment

Based on age, ISPM score and amount of time some individuals have worked in workshops, OPWDD estimates that 50% of individuals and families will not be interested in transitioning to competitive employment or have medical, adaptive or behavior support needs that create barriers to employment. Alternative options for these individuals are as followings:

- For individuals who are retirement age, Community Habilitation, Consolidated Supports and Services or Day Habilitation could be used to fund community activities. These activities may consist of supports to participate in volunteer, social, recreational, senior center and other community activities that are typical of people who are retirement age.
- For individuals who want to continue to work obtaining employment in a former workshop that has converted to an affirmative business or social enterprise will be an option.



- If an individual reconsiders and later expresses interest in employment options other than those offered by provider agencies, Pathway to Employment services will be available.

5. Partnerships with the Business Community

In an effort to increase job opportunities for individuals with developmental disabilities, OPWDD will continue to foster partnerships with the New York State Department of Labor and Empire State Development Corporation.

Collaboration with the Department of Labor is focused on improving interaction between OPWDD regional offices, supported employment providers and Department of Labor One Stop Centers, which can provide benefit counseling and job matching services to job seekers, and supported employment agencies. Collaboration with the Empire State Development Corporation is focused on educating businesses about the employment potential of people with developmental disabilities and encouraging businesses to hire more people with developmental disabilities.

6. Technical Assistance for New York State

In an effort to further improve competitive employment outcomes for individuals with developmental disabilities, New York joined the State Employment Leadership Network (SELN). SELN is a cross-state cooperative venture of state MR/DD agencies that are committed to improving employment outcomes for people with developmental disabilities. The SELN helps states enhance their capacity to develop, implement, and support effective integrated employment initiatives designed to improve employment outcomes for individuals with developmental disabilities.

SELN will provide the following technical assistance to New York:

- Administer a self-assessment process designed by NASDDDS and Institute on Community Inclusion (ICI) project staff to identify the strengths and weaknesses of New York's existing employment support infrastructures and develop related system improvement strategies.
- Conduct on-site visits to review/discuss New York's self-assessment and desired future, resulting in two site visit reports prepared by members of the SELN project team. These reports (a) outline the team's principal findings and observations and (b) provide a brief overview of the state's DD service delivery system and policy making environment.



- Receive assistance in developing a state Employment Work plan that lays out short-term objectives and action steps aimed at placing the state on a pathway to achieving its near-term system improvement goals. This plan identifies the types of outside assistance that may be required.
- Receive access to a pool of peer-to-peer consultants and trainers drawn both from Network states and external sources developed by ICI and NASDDDS.
- Receive assistance, if necessary, from ICI in developing a data tracking system that will help the state monitor its progress and fine-tune system improvement strategies over time.
- Receive assistance in identifying and selecting outside consultants to help the state to translate desired changes in employment policies and practices into specific operational strategies.
- Participation in monthly Network steering committee calls to manage project business and also share experiences among the participating states.

IV. Summary

This Draft Employment Transformation Plan describes New York's commitment to improving competitive employment outcomes for individuals with developmental disabilities. The plan outlines strategies that: address systemic barriers to employment growth, improve cross system collaboration, and create opportunities for workshop participants to transition to competitive employment or other meaningful community activities.