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# Transformation Agreement

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July 1, 2013

**Progress Update and Quarterly Report**  
Submission to the Centers for Medicare  
and Medicaid Standards



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## Introduction

In accordance with the Health System Transformation for Individuals with Developmental Disabilities Agreement as defined in the Standards Terms and Conditions of New York State’s Partnership Plan Medicaid Section 1115 Demonstration, this document reports to the Centers for Medicare and Medicaid Services (CMS) the completion of the July 1, 2013 Transformation Deliverable Schedule which includes progress and quarterly updates in the following areas:

- Transition information for specific residents of Finger Lakes and Taconic Intermediate Care Facilities (ICF) including residential settings;
- Progress for increasing availability of supportive housing options and the number of new housing units available to persons being transitioned from ICFs and meeting HCBS standards;
- Progress toward increasing the number of individuals engaged in competitive employment and the number of individuals remaining in sheltered workshops; and
- The number of participant self-direction training/education sessions conducted and the number of self-direction enrollees.

Please note that the additional July 1, 2013 deliverables have been or will be submitted to CMS under the cover of the New York State Department of Health no later than July 1. These documents include:

- New York State Department of Health’s amended comprehensive Quality Strategy incorporating the changes resulting from the Developmental Disabilities Transformation revisions (Sent to CMS on June 25, 2013)
- Developmental Disabilities Transformation DRAFT Evaluation Plan (Sent to CMS on June 25, 2013)
- 1915 c People First Waiver Fiscal Amendment (to be submitted on 7/1 or 7/2 when the Portal is available following system maintenance.)

## Residential Transitions and Supportive Housing

***Residential Transitions and Supportive Housing***

*(from CMS Special Terms and Conditions, Attachment H)*

- a. *By January 1, 2014, New York will transition a total of 148 residents from the Finger Lakes and Taconic ICFs in accordance with the following milestones:*
  - i. *7 residents will be transitioned prior to July 1, 2013*
- d. *New York will provide quarterly updates on the progress for increasing the availability of supportive housing options, including “non-traditional housing models” such as the “Home of Your Own”, Family Care, Shared Living, Customized Residential Options, and AFL. Each quarterly update will include the number of new housing units that are available to persons being transitioned from ICFs, and meet CMS standards for HCBS settings.*

Since April 1, 2013, OPWDD has assisted eight individuals to transition from the Finger Lakes and Taconic campus based ICFs to community settings meeting the Home and Community Based Services settings standards.



<b>Individuals Assisted to Transition to Community Settings April 1 – June 30, 2013</b>					
<b>Name</b>	<b>Date</b>	<b>Certified Capacity</b>	<b>Certification Type</b>	<b>Meets HCBS Standards</b>	<b>MFP Compliant</b>
JS	5/20/2013	13	Supervised IRA	Yes	No
LB	5/28/2013	6	Supervised IRA	Yes	No
MD	6/17/2013	13	Supervised IRA	Yes	No
RK	6/28/2013	4	Supervised IRA	Yes	Yes
DC	6/28/2013	4	Supervised IRA	Yes	Yes
TS	6/28/2013	4	Supervised IRA	Yes	Yes
CL	5/20/2013	8	Supervised IRA	Yes	No
BC	4/23/2013	6	Supervised IRA	Yes	No

OPWDD has already expressed its intent to downsize all campus-based institutional settings within four years from a current census of just under 1,000 persons located at multiple settings statewide, to a census of just 150 persons residing at only two remaining campus locations. Further, these remaining settings will be considered for use as transitional, short-term treatment and stabilization settings only.

Presently, just over 6,100 people live in community-based Intermediate Care Facilities (ICF's) statewide. A detailed analysis of all of the existing residential settings has been compiled, along with demographic data related to individuals in ICFs. Preliminary recommendations for reducing the number of individuals being supported in institutional settings, and expanding the number of individuals who reside in integrated settings, with associated timeframes, are under development. This information is being assembled and summarized into both regional and statewide formats which will form the basis of specific transformational action plans. These two elements will allow for a pre and post-transformation view of OPWDD's system of residential supports. Based on CMS feedback and further analysis as needed, OPWDD will finalize the plan by October 1, 2013.

### **Expanding Supportive Housing Options**

To increase the availability of supportive housing options, OPWDD is actively engaged in maintaining existing partners in the housing industry and cultivating new partners. It is also necessary to educate, train and provide technical assistance to public and private sectors, administrators in the human services industry, front line workers and others. Appendix 1 provides a summary of OPWDD's current activity and progress in developing new supportive housing opportunities; ongoing efforts to maintain and create new partners in the housing industry; and education, training and technical assistance efforts. Each quarter hereafter, OPWDD will report progress in identifying additional supportive housing opportunities for individuals with developmental disabilities from this baseline of partnerships and education.

<b>Number of new housing units developed April 1- June 30, 2013</b>	
New Home Owners	1
Available Supportive Housing Units	62



## Increasing Supported Employment Services and Competitive Employment

*Supported Employment Services and Competitive Employment  
(from CMS Special Terms and Conditions, Attachment H)*

- a. *By May 31, 2013, New York must provide CMS with a baseline count of the number of enrollees receiving supported employment services and the number of enrollees engaged in competitive employment for the most recent period for which data is available. Thereafter, the state must provide CMS with a quarterly report documenting the state's progress toward the agreed-upon goal of increasing the number of persons engaged in competitive employment, through Supported Employment, by 700 persons above the previous 12 month enrollment, with no exceptions for attrition during the period of April 1, 2013 and March 31, 2014. Given the expected fluctuations triggered by school timelines (e.g. graduations), New York will increase the number of persons in competitive employment by no less than 250 persons by October 1, 2013, with no exceptions for attrition. Only integrated gainful employment at minimum wage or higher will be considered competitive employment. The quarterly report also must include a description of activities the state has undertaken during the quarter to increase the number of demonstration participants engaged in competitive employment.*
- b. *Effective July 1, 2013, New York will no longer permit new admissions to sheltered workshops. The state will report the number of enrollees that remain in sheltered workshops in each quarterly report as required under paragraph 62.*

OPWDD is using the following strategies to increase the number of individuals engaged in competitive employment:

### **Data Collection**

There are 172 agencies that provide supported employment services. During this reporting period, OPWDD reviewed the rosters of each of these agencies to verify the number of people who were enrolled in supported employment services and the number of people who were competitively employed in an integrated setting earning at least minimum wage. In addition, OPWDD gathered data on the number youth exiting high school who may be OPWDD eligible and likely to apply to New York State Education Department's Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCES-VR) for intensive supported employment services.

During this quarter, OPWDD established a baseline for the number of people receiving supported employment services and working in the community. After adjusting for inaccuracies that were initially captured in previously reported data, there were 8,773 individuals with developmental disabilities enrolled in supported employment services and of these individuals, 5,822 are competitively employed in an integrated setting and earning at least minimum wage as of March 31, 2013. This was provided to CMS on 5/31 as required in the Transformation Agreement (see Appendix 2).



## Building the Employment Pipeline and Supporting Retention

New York recognizes that both pipeline and retention strategies are needed to obtain net growth in competitive employment. During this reporting period, OPWDD implemented the following strategies to increase the number of individuals in the employment pipeline who could potentially have successfully employment outcomes.

- Identified 1,843 students exiting high school who may apply to ACCES-VR for intensive supported employment services or participate in the redesigned Pathway to Employment service which is targeted for an October 1, 2013 start date.
- Began initial roll out of its Front Door Initiative and use of the Eligibility, Assessment and Authorization tool as mechanisms to encourage new waiver enrollees to explore supported employment.
- Convened a provider workgroup with the goal of identifying people receiving day habilitation and workshop services who could successfully transition to supported employment.
- Created a stakeholder engagement process to educate providers, families, self-advocates and Medicaid service coordinators about the transformation agreement and New York's efforts to increase competitive employment outcomes for people with developmental disabilities. OPWDD convened meetings with more than 300 agencies providing day habilitation, prevocational, workshop, supported employment and Medicaid service coordination services.
- Created and distributed an Employment Transformation Question and Answer Fact Sheet (Appendix 3) to all stakeholders outlining New York's employment goals for people with developmental disabilities, defining expectations for competitive employment and integrated employment, clarifying timelines related to funding for sheltered workshops, describing the redesigned Pathway to Employment service, and identifying performance measures to track New York's success in achieving its employment goals.
- Convened a statewide video conference with more than 600 participants highlighting promising practices currently used by provider agencies to (1) transition people from workshops and day habilitation to competitive employment and (2) to transition youth and young adults from high school or college to competitive employment.
- Began redesigning the Pathway to Employment service which has a projected launch date of October 1, 2013 and is an important part of New York's strategy to increase the pipeline of individuals who are interested in employment. The Pathway to Employment service is designed to significantly increase the number of OPWDD eligible participants who successfully apply for and obtain employment services from ACCES-VR. The intent of the Pathway to Employment service is to assist youth exiting high school and individuals who are currently receiving day habilitation and workshop services in identifying and obtaining career goals that will lead to competitive employment. This service is specifically designed for individuals who need a high level of pre-employment supports in discovery and assessment before they can successfully utilize ACCES-VR services.
- Soliciting a request for proposal for the design and rollout of statewide curriculum and training/outreach program to educate eligible nonprofit agency stakeholders on the availability of the Pathway to Employment service.



**New York also undertook the following retention strategies during this reporting period:**

- Began to identify the reasons for supported employment attrition using data collection methods and worked with our provider workgroup to develop appropriate retention strategies.
- Using our data tracking system, identified people who are enrolled in supported employment services, but are not employed, and initiated monthly calls or visits with provider agencies to create plans to assist these individuals in getting employed or accessing other services that could help them achieve better employment outcomes.
- Through a provider survey process started early identification of people who are currently receiving ACCES-VR intensive supported employment services and who may be likely to transition to OPWDD extended supported employment services in an effort to develop proactive retention strategies to assist them in maintaining employment.
- Focused on improving the quality of job development and job coaching services provided by supported employment agencies through a four-part Innovations in Employment Training Series. This training is geared towards direct support professionals (day services and residential), job developers, job coaches and managers to educate them about New York’s goals and expectations related to supported employment. The training series provides participants with skills and techniques that can be used to improve employment outcomes for people with developmental disabilities. The four-part series includes sessions on: Employment and Putting People First; Assessment and Planning; Job Development; and Job Coaching. Almost 2,500 staff of supported employment agencies have participated in these trainings. It is anticipated that another 1,700 people will be trained by March 31, 2014.

## **Ending New Enrollments in Workshops**

### **Number of individuals remaining in sheltered workshops**

As of March 31, 2013 there are 7,896 people employed in sheltered workshops.<sup>1</sup>

Effective July 1, 2013, New York will no longer permit new enrollments into sheltered workshops. All of the stakeholder engagement activities previously outlined included information regarding the end of new enrollments into sheltered workshops. Emergency regulations were also promulgated to further clarify this policy. Appendix 4 contains a memorandum notifying providers of the related change in reimbursement for sheltered workshop services.

### **Cross System Collaborations**

During this reporting period, the following interagency and cross system collaborations were initiated to advance New York’s employment goals:

State Education Department- Given the requirements of the Rehabilitation Act of 1973 and IDEA, the State Education Department is an important partner in New York’s efforts to achieve its competitive employment goals for people with developmental disabilities. OPWDD has engaged in active discussions with both ACCES-VR and the Office of Special Education to identify ways to improve employment outcomes for youth and young adults with developmental disabilities.

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<sup>1</sup> The most recent data available is from March 31, 2013.



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- ACCES-VR discussions have focused on creation of a Supported Employment Memorandum of Understanding designed to formalize the role that each agency will have in developing pipeline and retention strategies to assist people with development disabilities in having successful employment outcomes. The MOU will clarify the role of pre-employment training programs like Pathway to Employment which are designed to prepare people for ACCES-VR services. This strategy is particularly important as it relates to transitioning people from workshops and day habilitation to employment. The MOU will also contain a data sharing agreement to assist in obtaining information about the number of OPWDD eligible people who apply for and obtain ACCES-VR services. It is anticipated that the MOU will be finalized by October 1, 2013.
- Office of Special Education (OSE) discussions have focused on ensuring that school district and high school administrators, regional transition specialists and BOCES superintendents have information about efforts to improve employment outcomes for youth with developmental disabilities, including the policy related to ending new enrollments into sheltered workshops. In addition to these Albany-based discussions, local discussions between OPWDD's regional offices and local school districts and BOCES have also been held related to the Front Door Initiative.
- Department of Labor - In an effort to address myths and misinformation related to the impact of employment on SSI, SSDI and Medicaid benefits, OPWDD has initiated discussions with the Department of Labor. These discussions have focused on strategies to foster collaboration between One Stop Centers, which can provide benefit counseling and job matching services to job seekers, and supported employment agencies. Accurate information regarding benefits is a significant barrier that must be addressed in order to convince individuals to explore the possibility of employment.
- Empire State Development Corporation - While OPWDD efforts are focused on developing a pool of workers who are ready to be employed in the community, we recognize that attention must be paid to developing relationships with businesses who are committed to an inclusive workforce and willing to hire people with developmental disabilities. OPWDD recently participated in the National Governor's Association Summit focused on strategies for engaging businesses in process of improving employment outcomes for people with developmental disabilities. In an effort to make the hiring of people with developmental disabilities part of New York State's mainstream workforce strategy, OPWDD has initiated discussions with the Empire State Development Corporation which has a mission to promote business investment and growth that leads to job creation and prosperous communities across New York State.

### **SELN Membership**

In an effort to further improve New York's efforts to engage people with developmental disabilities in competitive employment, membership discussions have begun with the State Employment Leadership Network (SELN). Technical assistance from SELN will be used to further develop New York's employment transformation work plan.



## Increasing Self-Direction

### *Consumer Self-Direction*

*(from CMS Special Terms and Conditions, Attachment H)*

*b. New York will increase the number of people offered the option to self-direct their services through increased education to all stakeholders in a consistent manner statewide. This education will be provided to at least 1,500 beneficiaries (with designated representatives as needed) per quarter beginning on April 1, 2013. New York will submit a quarterly report of the number of training/education sessions conducted and the number of persons attending the sessions. New York will share training materials and curricula for these sessions with CMS, and make them available statewide by May 1, 2013.*

*e. New York will provide a report to CMS no later than July 1, 2013, on the current number of persons with IDD and other disabilities who self-direct their services under this demonstration.*

### **Self Direction Education to Beneficiaries**

Consistent with the transformation goal to expand education about self-direction service options in a consistent manner to all stakeholders statewide, OPWDD has educated more than 1,500 individuals and family members in self-direction sessions during the first quarter ending on June 30, 2013, with a total count of 1,844 individuals and 85 training sessions. Self-direction education sessions are actively attended by individuals and family members, and more sessions are scheduled for the second quarter of 2013. Specifically, OPWDD will continue to focus education activities on self-direction according to the education goals described in the table below:



<b>Self-Direction Education Totals</b>			
<b>April 1 - June 30, 2013</b>			
<b>Self-direction Education Target</b>	<b>Education Goal</b>	<b>Total Number of Individuals</b>	<b>Total Number of Sessions</b>
New people requesting supports from the OPWDD system and people who are transitioning from the education system into the OPWDD system of supports.	Increase awareness of self-direction options among the people engaging in supports from OPWDD	<b>1105</b>	<b>58*</b>
Individuals who are currently receiving OPWDD supports and services and new individuals who have expressed an interest in self-directing services.	For people who are expressing interest in self-direction, the goal is to ensure understanding of the key concepts of self-directed supports.	<b>641</b>	<b>16</b>
Individuals who are actively seeking to self-direct services with budget and employer authority	Detailed understanding of the operational components of self-directed supports; clear understanding of the responsibilities associated with self-direction.	<b>98</b>	<b>11</b>
	<b>Total</b>	<b>1844</b>	<b>85</b>

**Beneficiaries with Developmental Disabilities who currently Self-Direct Their Services**

The current number of individuals with developmental disabilities who self-directed their services under Consolidated Supports and Services (CSS) during the month of April 2013 was 979. OPWDD also offers individuals the option for self-direction under Community Habilitation and respite. The agency is implementing a mechanism to verify the number of individuals self-directing under these services in order to better understand the total number of self-directing individuals and identify the best strategies to increase those numbers.

To facilitate increased opportunity for individuals to access self-direction, OPWDD has also worked with stakeholders to streamline the CSS plan and budget document. Further, OPWDD is working to streamline the protocol for processing and managing new and/or changing CSS plans and budgets to eliminate bureaucratic delays.



## Appendix 1

# Increasing the Availability of Community Housing Options For People with Intellectual and Developmental Disabilities

### Overview

The cornerstone of independence for people with intellectual and developmental disabilities is having one's own home – whether it is an apartment, a furnished room, a shared living arrangement, a single family home or some other type of residential setting. When a person has a decent, safe, and affordable home, he or she has the opportunity to become a part of the community and is able to achieve other important life goals, including improved health, education, job training, and competitive employment.

There is no one specific type of residential setting that will meet the needs of all people with developmental disabilities; therefore, OPWDD is increasing the availability of a continuum of community housing options that is based on the service needs of the individual and how much he/she can afford to spend on housing to supplement any government subsidies.

Within the past few years, OPWDD has made a concerted effort to increase the availability of community housing options by taking two major steps: (1) maintaining existing partners in the housing industry and, (2) cultivate new partners. The agency also has an aggressive information and outreach system and provides an opportunity for partners to be educated, trained and provided with ongoing technical assistance

### **Housing Goals**

#### Goal One:

#### **Expand the Inventory of housing alternatives for people with Developmental Disabilities**

Goal One sets in motion the expansion of an interagency partnership with multiple state agencies to leverage resources and provide additional rental units. The use of state agencies' resources will incentivize developers to create additional accessible and affordable housing for people with developmental disabilities. Partnering agencies are discussing the creation of an Interagency Housing Council, inclusive of a formal Agreement among participating agencies. The following programs have been initiated:

- Governor's Supportive Housing Development Program. In 2012-13, \$1.8 million was awarded to OPWDD through the Rental Subsidies Program, and 53 opportunities were created for people with developmental disabilities to move to a less restrictive residential setting were created. Also, an enhanced partnership between OPWDD and New York State Homes and Community Renewal (NYSHCR) resulted in 47 new supportive housing units.

#### Goal One Strategies:

- Pursue and leverage increased local, state, and federal rental subsidy opportunities
- Provide incentives for developers to build units for individuals with developmental disabilities within their "regular" apartment settings



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- Expand partnerships with the State of New York Mortgage Agency (SONYMA), the U.S. Department of Agriculture (USDA) Rural Development Single and Multifamily Homes, the U.S. Department of Health and Human Services' Assets for Independence Program, and the U.S. Department of Housing and Urban Development (HUD)

**Goal Two:**

**Increase Access to Rental Subsidies for People with Intellectual and Developmental Disabilities**

Goal Two reflects efforts to increase the funding pool for subsidizing rental units for people with developmental disabilities through policy changes, funding requests from federal agencies, and partnerships with state and local municipalities. OPWDD proposes to explore a pilot rental assistance model to identify and assess the most effective way to provide affordable, accessible, and high quality rentals for people with developmental disabilities now and in the future.

Goal Two Strategies:

- Working through the NY Delegation, seek policy changes at the federal level in the expansion and distribution of housing choice vouchers for people with disabilities.
- Partner with state and local public agencies to prioritize rental subsidy needs of people with developmental disabilities
- Partner with local public agencies to track the distribution of housing choice vouchers for people with disabilities
- Pursue and develop funding sources to expand the availability of rental assistance

**Goal Three:**

**Build understanding and awareness of housing options for independent living among people with developmental disabilities, families, public and private organizations, developers, frontline workers and etc.**

Goal Three intends to generate increased awareness of and interest and engagement in moving from congregate homes to housing alternatives. A systemic outreach and marketing effort by all state agencies involved in the Interagency Housing Council will assist with this effort. Also, OPWDD's Continuum of Housing Options Roundtables offer provider agencies and families an opportunity to highlight innovative and promising practices in housing alternatives.

Goal Three Strategies:

- Develop and implement a communications, advocacy, outreach and education plan
- Build the capacity of public and private agencies to assist people with developmental disabilities in making informed choices
- Continue to host Housing Forums on housing options currently available to people with developmental disabilities. Forums are broadcast statewide to interested parties through the use of Video- and Tele-Conferencing.
- Initiate a series of educational Webinars on "how-to-create" housing alternatives for independent living.



**Goal Four:**

**Increase collaboration among OPWDD, state and federal agencies, voluntary providers, advocacy groups and families to create a more efficient and effective path for people with intellectual and developmental disabilities to access and receive the supports and services they or their family need.**

Goal Four Strategies:

- Align the work of OPWDD’s Office of Home & Community Living to support the following NYS initiatives:
  - NYS Money Follows the Person Demonstration
  - NYS Balancing Incentive Program
  - 1915 B/C waiver applications
  - Residential transitions and expansion of supportive housing
  - Supportive employment services
  - Increasing self-direction

**Goal Five:**

**Assist with the creation of a sustainable living environment through funding for home modifications, down payment assistance and home repairs.**

Goal Five Strategies:

- Increase funding for Environmental Modifications
- Continue the U.S. Department of Health & Human Services down payment assistance program
- Create a system and consistent process to fund home repairs for people with intellectual and developmental disabilities who close on a home through OPWDD’s Home Of Your Own (HOYO) program

**Goal Six:**

**Provide recommendations that can improve housing alternatives for people with developmental disabilities**

Goal Six will put in place a systemic infrastructure that supports the use of housing alternatives by people with intellectual and developmental disabilities. Connect the infrastructure to the work of the Interagency Housing Council.

Goal Six Strategies:

- Create a systemic infrastructure that puts people first and is acceptable and usable by leadership
- Ensure that the infrastructure is based on self-direction.
- Present, track, evaluate and continuously provide recommendations and progress reports.
- Work within the parameters of the Interagency Housing Council to ensure cross systems collaboration.



## What's been done, to date:

In order to **increase the availability of supportive** housing options, there must be a concerted effort to maintain existing partners in the housing industry and cultivate new partners. It is also necessary to educate, train and provide technical assistance to public and private sectors, administrators in the human services industry, front line workers and others. Below is a summary of OPWDD's efforts to maintain and create new partners in the housing industry. Also included is a listing of education, training and technical assistance efforts.

### I. Maintaining Existing Partnerships:

#### Some Federal Partners

*United States Department of Housing and Urban Development (HUD): OPWDD is a HUD-Approved Housing Counseling Program.*

- Seeking statewide compliance with HUD's Guidance with Olmstead Requirements for individuals moving out of institutions and into housing.
- Monitors HUD's website for new policies for programmatic requirements, including HUD's Housing Counseling Handbook 7610.1
- Submits annual proposals to HUD for grants funding to support OPWDD's housing counseling program
- Submits HUD 9902 reports on a quarterly basis to outline counseling work completed to people with intellectual and developmental disabilities and their income-eligible parents or legal guardians
- Maintain contact with HUD's Office of Housing Counseling
- Scheduling one-on-one meeting with HUD's Albany Field Office Director to learn about new requirements under Section 811, 202 and etc.

*United States Department of Agriculture (USDA) Rural Development*

- Enhanced existing MOU with USDA to include multi-family homes in rural areas – *Signed new MOU in 2013 to include Multifamily Homes.*
- Invites USDA Rural Development representatives to present at various OPWDD housing forums
- Maintains a listing of all USDA Foreclosed homes, distributed this listing to the respective OPWDD Regional Offices
- Attends local USDA Rural Development functions

*United States Department of Health and Human Services (HHS) – Assets For Independence (AFI)/Matched Savings Program*

- Awarded \$1 million from HHS to assist people with intellectual and developmental disabilities, their income eligible parents or legal guardians save the down payment and closing costs for their 1<sup>st</sup> home.



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- Reviews and complies with HHS policies for Assets For Independence (AFI) program requirements
- Maintains contact with OPWDD's assigned AFI program contact in Washington, DC
- Completes and discusses semi-annual reports for AFI with staffers
- Preparing for webinars hosted by OPWDD and HHS
- Applied for a no-cost extension for OPWDD's AFI grant to assist participants of the program for an additional year
- Re-applying for an upcoming AFI grant when an RFP is issued

Some State Partners

*New York State Homes and Community Renewal (HCR)*

- Expanding existing partnership with HCR
- Hosted Meet and Greet sessions between OPWDD Leadership, Affordable Housing Developers, OPWDD provider agencies and HCR Supportive Housing representatives to begin dialogue on supportive housing for people with intellectual and developmental disabilities.
- Met with HCR on several occasions to develop "Language" for OPWDD's *first time* inclusion in their Unified Funding Round Request For Proposals (RFPs)
- Trained HCR staff on how OPWDD's funding mechanisms for non-certified housing settings work
- Invited HCR to present to OPWDD's leadership on its housing programs at both OPWDD's Housing Forums and Provider Association meetings
- Working to develop infrastructure for OPWDD's Leveraged Supportive Housing Pilot
- Received scholarships from HCR to attend Housing Counseling training through NeighborWorks America
- Participated in pre-development meetings for agencies awarded funds through *HCR's Unified Funding Round*
- Participated in HCR Public Hearings for Small Block Grants
- Established a formal and ongoing commitment to participate in HCR's Housing Trust Fund
- Developed talking points for HCR's upcoming Unified Funding Round

*State of New York Mortgage Agency (SONYMA)*

- Maintain ongoing communication with George Leocata, Senior Vice President of Single Family Programs at SONYMA
- Provided training for SONYMA Regional Loan Originators
- Receive monthly reports on the status of HOYO loans financed by SONYMA, including those that are either in delinquency or default
- Advocated with Jim Ahrens, Administrative Vice President of the Mortgage Division of M&T Bank, to have Loan Originators for the HOYO program in each region of NYS
- Worked with SONYMA to expand the AFI program statewide

*Governor Cuomo's Medicaid Redesign Team (MRT) Supportive Housing Development Program*

- Represented OPWDD on the MRT Affordable Housing Work Group
- Presented to members of the MRT Work Groups on OPWDD's existing housing program.



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## OPWDD: Putting People First

- Advocated for OPWDD to receive funding from MRT
- Received \$1.8 million to support OPWDD's housing agenda.
- Received \$135,000 for a special Nursing Home Project on Long Island from MRT funds.
- Released a *Request For New Services (RFNS)* to provider agencies statewide
- Provided funding to 11 agencies with MRT funding
- Providing housing opportunities to 61 individuals in a less restrictive environment through MRT funds.
- Seeking additional funding from MRT to fund new Supportive Housing projects

### Some Cross-Systems Partners

- NYS Office of Temporary & Disability Assistance
- NYS Office of Mental Health
- NYS Department of Health
- NYS Office of Substance Abuse Services
- NYS AIDS Institute

### Some Private Partners

- Capital District Transportation Authority (CDTA): *Travel Demand Management Homeowners Transit Incentive – provide free bus passes to homeowners who purchase their first home through OPWDD's Home of Your Own (HOYO) program; Program also provides reduced fares for employees with disabilities.*
- M&T Bank: The financial institution that provides loan originators and assistance to people with developmental disabilities, their income-eligible families and the workforce who purchase their 1<sup>st</sup> home through OPWDD's HOYO program. M&T Banks also serves as the financial institution for OPWDD's AFI program.

## II. Creating New Partnerships

- New Partnerships in development
  - Supportive Housing Network of NY
  - Habitat For Humanity
  - First Niagara Banks (Credit Counseling)
  - NYS School Boards Association
  - SUNY Buffalo – Affordable Housing Clinic
  - Hofstra University
  - Local Municipalities
- New Housing Education, Training, and Technical Assistance Initiatives
  - October 8, 2013 Conference on *Transforming Family Care for the 21<sup>st</sup> Century*
  - Training Regional Housing and Development staff on all non-certified housing options currently available
  - Researching and expanding OPWDD's Shared Living program
  - Expanding OPWDD's partnership with HCR
  - Increasing the training capacity of the Downstate Housing Office staff



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- Confirming outreach partnerships with the Self Advocacy Association of NY (SANYS), Parent To Parent, and the National Association of Direct Support Professionals (NADSP)

Housing Forums Hosted (Total of 2,228 attendees)

- HCR Supportive Housing
  
- “I’m Home Now:” Creative Solutions to Meeting the Housing Needs of People with Developmental Disabilities
  
- Building Public/Private Partnerships to Create Supportive Housing for People with Developmental Disabilities: Challenges and Opportunities
  
- Better Health, Better Care and Lower Cost: Realigning Resources to Support Successful Aging in the Community Living Environments for Older People
  
- USDA Rural Housing Programs Overview
  
- A Forum on Family Care
  
- Continuum of Housing Options Roundtable
  
- A Conference on Shared Living
  
- Assisted Living for People with Intellectual and Developmental Disabilities



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## Appendix 2

### Supported Employment Baseline E-mail to CMS

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**From:** courtney.burke@opwdd.ny.gov  
**Sent:** 5/31/2013 2:30:26 PM  
**To...:** michael.melendez@cms.hhs.gov;jessica.woodard@cms.hhs.gov  
**Subject:** OPWDD Employment Baseline

Mike,

In accordance with the requirement of the Transformation Agreement, OPWDD is submitting a “baseline count of the number of enrollees receiving supported employment services and the number of enrollees engaged in competitively employment through April 30, 2013”.

As of April 30, 2013, there were 9,459 individuals enrolled in supported employment services (SEMP). There were 5,543 SEMP enrollees who were competitively employed in an integrated setting and are earning at least minimum wage.

There may be some additional people in SEMP who are competitively employed that were not captured in the baseline as additional data is still being received from some providers. OPWDD will make any necessary updates to the baseline as part of the quarterly report due in July.



**Appendix 3**  
**June 26, 2013 No new enrollments into Sheltered Workshops**  
**Letter to Providers**

TO: State Operations Directors  
Regional Directors  
Executive Directors of Voluntary Providers

FROM: Gerald Huber  
Deputy Commissioner  
Division of Person Centered Supports

DATE: June 26, 2013

SUBJECT: No new enrollments in Sheltered Employment

OPWDD has an important agenda to transform the services available to people with developmental disabilities in order to increase person centered supports, advance self direction and assist in meeting personal outcomes. Consistent with the Governor's Olmstead plan, OPWDD is implementing strategies to ensure that its services are fully integrated into the community. One aspect of the transformation plan sets a goal to significantly increase employment opportunities for individuals receiving OPWDD supports and services. In order to achieve this goal, OPWDD has made a specific commitment to: no longer fund new admissions to sheltered workshops effective July 1, 2013; increase the number of people with developmental disabilities who are competitively employed by 250 new people by October 1, 2013 and by 700 new people by April 1, 2014; and create a draft timeline and work plan for the elimination of funding for sheltered workshops by October 1, 2013.

As a result of these employment goals, please be advised that effective July 1, 2013 a "No Add" edit has been added to TABS which will prevent new enrollments into sheltered workshops if the "add" of the enrollment is July 1, 2013 or after. In addition, emergency regulations are being promulgated to limit reimbursement of prevocational services delivered in sheltered workshops to only those individuals who were receiving these services before July 1, 2013. (Additional information about the emergency/proposed regulations is available on the OPWDD website at [www.opwdd.ny.gov](http://www.opwdd.ny.gov).)

For more information about OPWDD employment goals please see the attached Employment Transformation Questions and Answers.

cc: COLT



## **Appendix 4**

### **OPWDD Employment Transformation**

### **Questions and Answers**

**June 10, 2013**

#### OPWDD Employment Definitions

**1. How is competitive employment being defined?**

There are two criteria for competitive employment. Employment must be in an integrated setting and the worker employed must earn at least minimum wage.

**2. How is an integrated employment setting being defined?**

Work settings where workers with developmental disabilities have opportunities to interact with, and work alongside, co-workers who do not have disabilities are considered integrated. If supervisors, job coaches and other staff are the only people without disabilities that workers interact with, then the setting does not meet the definition of integrated.

**3. How are mobile work crews and enclaves being defined?**

Mobile work crews and enclaves are employment placements for groups of two to eight workers with disabilities. The employment placement is with a business located in an integrated employment setting. Mobile work crews work in various community locations while workers in enclaves are located at one specific business.

**4. How is segregated employment being defined?**

Segregated employment is a work setting where workers with developmental disabilities and/or mental illness only interact with, and work alongside, other workers with developmental disabilities and/or mental illness.

**5. How are sheltered workshops being defined?**

Sheltered workshops are typically facility-based employment settings that exclusively or predominately employ workers with mental illness and/or developmental disabilities. The work setting is usually segregated with no opportunities for workers with mental illness and/or developmental disabilities to interact with, or work alongside, people who do not have disabilities.

**6. How are prevocational services being defined?**

Prevocational services prepare a person with a developmental disability for the generic work environment. They include services that provide learning and work experiences, including volunteering, where a person with developmental disabilities can develop general, non-job-task-specific strengths and skills that contribute to their employability in paid employment in an integrated community setting. These services assist individuals who are interested in working but whose skills are such that they would need a year or more of prevocational services before they could successfully obtain and maintain competitive employment.

#### OPWDD Employment Goals

- 1. What are the October 1, 2013 and April 1, 2014 goals related to the number of individuals with developmental disabilities receiving supported employment services who are competitively employed?**



By April 1, 2014 OPWDD will increase the number of new people with developmental disabilities competitively employed by 700. By October 1, 2013 OPWDD will have 250 new people employed.

**2. Will OPWDD continue to fund group employment placements (enclaves and mobile work crews)?**

Yes, funding will continue for small group employment; however, group employment placements cannot exceed eight people and the employment placement must be in an integrated setting.

**3. Does OPWDD expect individuals receiving day habilitation services to transition to employment?**

Some of the individuals currently receiving day habilitation services can and want to be competitively employed. OPWDD is seeking to expand the number of choices that people with developmental disabilities have to be actively engaged in their community. This includes increasing opportunities for people with developmental disabilities to work in integrated settings, volunteer, or engage in other community activities.

### Workshop and Prevocational Services

**1. What are OPWDD's plans related to sheltered workshops?**

As part of an agreement with the federal Centers for Medicare & Medicaid Services (CMS), OPWDD has agreed to end new admissions to workshops effective July 1, 2013. OPWDD will also create a draft work plan and timeline related to the elimination of all funding for segregated employment settings. With input from families, individuals with developmental disabilities, and providers, the work plan and timeline will be finalized by January 1, 2014.

**2. What is the significance of the October 1, 2013 date as it relates to "sheltered workshops?"**

With input from stakeholders, OPWDD will submit a draft work plan and timeline to CMS on October 1, 2013 related to the elimination of funding for segregated workshop services.

**3. When will workshops close?**

At this time, OPWDD does not have a date for the elimination of funding for existing segregated employment settings. With input from stakeholders, OPWDD will develop a timeline and work plan, which will be submitted to CMS on October 1, 2013 for approval.

**4. Is it OPWDD's intent for all sheltered workshops to close?**

It is OPWDD's intent to fund employment that is consistent with the US Supreme Court Olmstead Decision; therefore, OPWDD's priority is to transition employment funding from segregated settings to integrated settings. Workshops that shift from segregated to integrated business models will be consistent with OPWDD's funding priorities. Examples of integrated business models include, but are not limited to, affirmative businesses and social enterprises.

**5. If workshops change from segregated to integrated business models, will they still be able to pay subminimum wage?**

As long as a provider has a 14c certificate from the Department of Labor, they will be able to pay subminimum wage. However, jobs that pay subminimum wage would not count toward OPWDD's April 1, 2014 employment goal.



**6. What will happen to government contracts that require providers to have a percentage of workers with disabilities?**

OPWDD expects providers with contracts that require a percentage of workers to have disabilities to meet the requirements of those contracts while also transitioning to more integrated business models.

**7. What does it mean to end funding for new admissions to settings that meet the definition of segregated employment settings?**

Effective July 1, 2013 funding from OPWDD will no longer be available to enroll new people in segregated employment settings. This includes prevocational services delivered in a sheltered workshop.

**8. How will this impact prevocational services?**

Funding will only be available for new enrollment into prevocational services that are provided in integrated community settings.

**9. Does OPWDD expect all work centers (sheltered workshops) to close?**

The expectation is to increase opportunities for people with developmental disabilities to work in integrated employment settings. OPWDD believes that it is possible for a provider agency to maintain their employment contracts and transition to an integrated business model.

**10. Will funding be available to support workshops that are interested in changing their business model in ways that meet the definition of competitive employment?**

OPWDD is very interested in working with provider agencies that are willing to transition from segregated business models to models that create opportunities for people with developmental disabilities to work in integrated settings.

**11. If segregated employment settings are no longer an option for new people receiving OPWDD services, what types of services will be available to students transitioning from high school?**

There are several OPWDD services that are available to people with developmental disabilities who are interested in employment or other community inclusion activities including: prevocational services, supported employment, community habilitation, and self directed services. All of these services can assist a person to be an active participant in their community.

Pathway to Employment

**1. What is the “Pathway to Employment Service?”**

Pathway to Employment is a person-centered, comprehensive employment planning and support service designed to assist participants in achieving competitive employment or self-employment. 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 and a detailed career plan used to guide individual employment supports.

**2. What type of services will be included as part of Pathway to Employment?**

Services provided under Pathway to Employment will be person-centered and may include, but not be limited to: vocational assessment; situational assessments; job readiness training, including



individualized and appropriate work related behaviors; community experiences; pre-employment skills, including tasks necessary to obtain employment based on the individualized needs of the participant; job-related discovery; travel training; experiential learning in career exploration and vocational discovery; experiential learning to achieve a specific vocational outcome; education and counseling around benefits management and employment; assessment for use of assistive technology to increase independence in the workplace; and, person-centered career planning which includes a defined and extensive vocational plan completed by the end of the Pathway to Employment service.

**3. Who can receive Pathway to Employment Services?**

The Pathway to Employment service will be available to individuals expressing an interest in community employment, including individuals who are currently receiving day habilitation, workshop, prevocational and supported employment services. This service will also be available to students leaving high school.

**4. When will Pathway to Employment services be available?**

As part of the transformation agreement with CMS, OPWDD is planning for an October 1, 2013 launch of the Pathway to Employment service.

Measuring Success

**1. What type of performance measures will be used to track OPWDD's success in achieving these employment goals?**

OPWDD will use the following metrics to track its progress in meeting the employment goals within the transformation agreement with CMS: number of people with developmental disabilities who are employed in integrated settings earning at least minimum wage; number of people who transition from day habilitation, prevocational and workshop services to Pathway to Employment; and number of people who transition from Pathway to Employment to supported employment.

**2. What is the significance of New York Employment Services System (NYESS) in tracking employment outcomes?**

NYESS contains data on the number of people receiving supported employment services who are employed, their wages, the number of hours they work, length of time employed, and type of occupation. This data will assist OPWDD in measuring its progress in meeting transformation agreement employment goals. As a result, OPWDD will expect all providers to report supported employment data into NYESS.

**3. How can my agency obtain more information about NYESS?**

Information about NYESS is available at [www.nyess.ny.gov](http://www.nyess.ny.gov).

For additional questions regarding OPWDD employment goals, please email [employment.technical.assistance.questions@opwdd.ny.gov](mailto:employment.technical.assistance.questions@opwdd.ny.gov)