

**Pathway to Employment Fee Adjustment  
 Amendments to 14 NYCRR Subparts 635-10 & 635-99 and Section 686.99**

**Originally Effective: July 1, 2014  
 Permanently Adopted Effective: September 24, 2014**

- **Clause 635-10.4(h)(1)(i)(l) is amended as follows:**
  - (l) community experiences through volunteer opportunities, paid or unpaid internships, mentorships, apprenticeships, job clubs, work site visits, job placement, or other job exploration modalities (Note: individuals participating in paid internships must be paid at least the minimum wage for the type of employment or self-employment sought through the internship opportunity);
- **A new clause 635-10.4(h)(1)(i)(m) is added as follows and the remaining clauses are renumbered accordingly:**

(m) transportation to and from such community experiences;

- **Paragraph 635-10.5(ad)(4) is amended as follows:**

(4) Fee schedule. The hourly fees for the pathway to employment service are as follows:

Pathway to Employment-- Fee is hourly per person

Region	Individual Fee	Group Fee
Region 1	\$43.04	\$37.68
Region 2	\$41.92	\$35.64
Region 3	[\$33.40] <u>\$39.70</u>	[\$28.40] <u>\$33.74</u>

- **Subdivision 635-99.1(bk) (the definition of individualized service plan (ISP)) is amended as follows:**
  - (bk) ... It is the responsibility of the person's chosen service coordinator to ensure that the ISP is reviewed at least semi-annually and includes consideration of the information obtained from other-than-OPWDD providers (if any), who are providing services ([i.e.]e.g., as appropriate, the individualized plan for employment (IPE)[written rehabilitation plan (IWRP)] or the individualized education plan (IEP)). The service coordinator should also ensure that a review of the ISP occurs when the person and/or his or her advocate request it; or when the capabilities, capacities or preferences of the person have changed and warrant a review; or when it is determined by the service coordinator that the prevailing plan (or portions thereof) is/are

Note: New material is underlined and deleted material is in [brackets].

ineffective. If habilitation services are provided (i.e., residential habilitation, day habilitation, community habilitation, supported employment, pre-vocational services, pathway to employment), the relevant habilitation plan(s) must be developed, and on a semiannual basis thereafter, reviewed and revised as necessary by the habilitation service provider. The ISP shall include or contain as attachments the following: ...

- **Subdivision 686.99(ab) (the definition of individualized service plan (ISP)) is amended as follows:**

- (ab) ... It is the responsibility of the person's chosen service coordinator to ensure that the individualized service plan is reviewed at least semi-annually and includes consideration of the information obtained from other-than-OPWDD providers (if any), who are providing services ([i.e.]e.g., as appropriate, the individualized plan for employment (IPE)[written rehabilitation plan (IWRP)] or the individualized education plan (IEP)). The service coordinator should also ensure that a review of the ISP occurs when the person and/or his or her advocate request it; or when the capabilities, capacities or preferences of the person have changed and warrant a review; or when it is determined by the service coordinator that the prevailing plan (or portions thereof) is/are ineffective. If habilitation services are provided (i.e., residential habilitation, day habilitation, community habilitation, supported employment, prevocational services, pathway to employment), the relevant habilitation plan(s) must be developed, and on a semiannual basis thereafter, reviewed and revised as necessary by the habilitation service provider. The ISP shall include or contain as attachments the following: ...