

Instructions for Submission of Workshop Transformation Proposals December 21, 2015

All workshop providers must submit a proposal to OPWDD for how they will continue to support the employment and meaningful community activities of individuals with developmental disabilities currently receiving workshop services.

A. Timeline

- December 2015 OPWDD releases Instructions for Workshop Transformation Proposals (pending CMS approval)
- January 15, 2016 10am-1pm Statewide Video Conference with Workshop Providers to Address Questions related to the Proposal Requirements
- February 1, 2016 10am-3:30pm Statewide Video Conference with Workshop Providers on Integrated Business Technical Assistance

This timeline is tentative and subject to change based upon guidance from the Federal Centers for Medicare and Medicaid (CMS).

B. Proposal Due Date

1. Proposals are due no later than January 6, 2017. Proposals will be accepted and reviewed earlier than this date. Proposals must be emailed to Workshop.Transition@opwdd.ny.gov.
2. All proposals will be reviewed by the DDRO and Central Office Employment Unit. Proposals will be reviewed in the order received. Approved proposals may be implemented immediately. All proposals will be reviewed and responded to by July 1, 2017.

C. Proposal Requirements

All proposals must include the following:

1. A description of how person-centered planning will be used to create transition plans for every individual currently employed in workshops.
2. A description of how OPWDD services (Pathway to Employment, Prevocational Services, Supported Employment, Community Habilitation, Day Habilitation, etc.) will be used to meet the job readiness, employment, volunteering, retirement and other community inclusion needs of individuals currently receiving workshop services;
3. A description of the strategies that will be used to retrain, cross train or realign various habilitative program staff in an effort to support individuals as they transition to competitive employment and/or other meaningful community activities;
4. A description of how peer supports and mentoring will be developed and made available to current workshop participants as they transition to competitive employment and other meaningful community activities;
5. A description of how benefits planning and work incentives will be incorporated into each individual's transition process;
6. A description of how transportation and/or travel training will be incorporated into each individual's transition process;
7. A description of how Medicaid Service Coordinators, circles of support and other providers of OPWDD services (residential, respite, day habilitation, community habilitation, etc.) will work together in assisting individuals in identifying and achieving their employment and meaningful community activity goals;
8. A description of how families and individuals receiving OPWDD services will be educated about and included in the planning associated with the creation of the provider's proposal;
9. A description of how individuals transitioning from workshops will continue to have opportunities to socialize with friends of their choice, including those friends from the workshop, and
10. A description of how annual reviews of individual employment placements will be done to ensure that the placement meets the individual's person-centered goals.

D. Creation of Integrated Businesses

New integrated businesses must comply with all applicable Federal and State labor and employment regulations. Such considerations include, but are not limited to, wage and hours standards, and occupational health and safety provisions. For providers interested in creating integrated businesses that will create jobs for individuals currently employed in workshops and other community members, the following additional information must be included in the proposal:

1. Strategies to transition the workshop into an integrated business;
 - a. A description of the type of business that will be created, the number of employees that will be hired, staff positions that will be created and wages that will be paid to employees,
 - b. A description of efforts that will be utilized to hire, train and maintain a diverse workforce that includes employees with and without disabilities,
 - c. A description of the personnel and human resource policies that will be used by the new integrated business. Examples of such policies could include: fingerprinting, background checks, trainings, disciplinary actions, etc. Please clarify which policies apply to all employees, only supervisors and/or other designated employees;
 - d. A description of the corporate structure of the new integrated business and its relationship to the provider agency,
 - e. A description of how individuals, families and staff will be involved in the creation and sustainability of the new integrated business, and
 - f. A description of how the local community (including local government, funders, economic development agencies, etc.) will be engaged in the creation and sustainability of the new integrated business;
2. Strategies to prepare individuals, families and staff for the transition from the workshop to the new integrated business;
3. Strategies to provide a variety of employment options to workshop participants and their families including the option to work in the new integrated business, transition to other types of competitive employment and/or transition to other meaningful community activities;

4. A description of how prevocational and supported employment services will be provided in the new integrated business; and
5. A timeline for when the workshop will transition into a new integrated business.

E. Integrated Business Model

Assisting individuals with developmental disabilities in achieving their employment goals is a priority for OPWDD. A person-centered planning process must be used to assist individuals with developmental disabilities in developing their job readiness skills, discovering potential employment interests, identifying work opportunities and annually reviewing job placements. OPWDD supports provider agency efforts to redesign segregated employment settings into businesses that meet Home and Community Based Setting (HCBS) requirements related to community integration.

Employment settings must meet HCBS requirements in order to deliver prevocational and supported employment services. Employment settings that are presumed institutional and/or isolate individuals receiving OPWDD services from the broader community, will trigger the Heightened Scrutiny Review Process. Additional information regarding the HCBS settings rule and Heightened Scrutiny can be found on OPWDD's website at (HCBS Settings Toolkit-http://www.opwdd.ny.gov/opwdd_services_supports/HCBS/hcbs-settings-toolkit).

A provider interested in creating an integrated business may use one of the following models:

Integrated Business Model 1

1. Forty percent or fewer of the annual FTEs in the workforce consist of employees who receive OPWDD services funded by the Home and Community Based Services (HCBS) Waiver and by the State (providers can "round up or down" to calculate workforce percentages for example 40.5% would be considered 41% and 40.4% would be considered 40%);
2. Employees with disabilities interact with individuals who do not have disabilities (co-workers, customers, the general public);

3. Co-workers include employees who do not have disabilities. Staff providing habilitative supports are not co-workers;
4. Employees with disabilities have the same work schedules, breaks, lunch times, time off and benefits (if provided) as employees without disabilities;
5. Employees with disabilities are not isolated from the public and are not restricted to one room or area within the business;

Integrated Business Model 2

1. Forty-one percent to 75% of the annual FTEs in the workforce consist of individuals who receive OPWDD services funded by the Home and Community Based Services (HCBS) Waiver and by the State (providers can “round up or down” to calculate workforce percentages for example 40.5% would be considered 41% and 40.4% would be considered 40%);
2. Employees with disabilities interact with individuals who do not have disabilities (co-workers, customers, the general public);
3. Co-workers include employees who do not have disabilities. Staff providing habilitative supports are not co-workers;
4. The business has recruitment, hiring and training policies designed to maintain a diversified workforce comprised of employees with and without disabilities;
5. The business has the same job titles, duties, descriptions and promotional opportunities for employees with and without disabilities;
6. Employees with disabilities have the same work schedules, breaks, lunch times, time off and benefits (if provided) as employees without disabilities;

7. Employees with disabilities are not isolated from the public and are not restricted to one room or area within the business;
8. The business is in a location that is accessible to other businesses, residences, restaurants, etc., to facilitate interaction with the public (to the same degree of access that individuals without disabilities have to the local community);
9. To the extent possible, the business should be accessible by public transportation, para transit and other forms of transportation. Individuals with disabilities are provided training and access to information about transportation options; and,
10. The business is integrated in the community to the extent that a person without disabilities in the same community would consider it a part of their community and would not associate the business with the provision of services to individuals with disabilities.

Note: If the business is co-located or clustered with other settings in which OPWDD services are delivered, a Heightened Scrutiny Review may be triggered.

Any questions about this document should be emailed to Workshop.Transition@opwdd.ny.gov.