

POLICY MANUAL

State Board of Behavioral Health and Developmental Services Department of Behavioral Health and Developmental Services

POLICY 1044 (SYS) 12-1 Employment First

Authority Board Minutes Dated: December 4, 2012
Effective Date: December 4, 2012
Approved by Board Chair: Cheryl Ivey Green

References STATE BOARD POLICY 1036 (SYS) 05-3 Vision Statement
Community Services Performance Contract: Central Office, State Facility, and
Community Services Board Partnership Agreement
*Envision the Possibilities: An Integrated Strategic Plan for Virginia's Mental
Health, Mental Retardation, and Substance Abuse Services System, 2006*
*Creating Opportunities Implementation Plan: Identifying the Priorities and
Actions Needed, July 25, 2011*
Senate Joint Resolution No. 127, 2012
Department of Justice Settlement Agreement, Case 3:12-cv-00059-JAG, 2012

Background Employment is a fundamental value and aspiration in American culture. People, including those with disabilities, gain many benefits from having a job. They have relationships with co-workers, fewer health issues, and an increased sense of wellbeing. They report a greater sense of accomplishment, increasing their feelings of competence and self worth, and contribute to the economy. Many people with disabilities live at or below the poverty level, and earning income from paying jobs helps supplement their resources and improves the quality of their lives.

Historically, the Department has provided state funds to support sheltered and supported employment services offered by community services boards and the behavioral health authority, hereafter referred to as CSBs, but the Department and CSBs have not emphasized integrated community-based employment as a priority for most individuals receiving services. Integrated community-based employment means regular or customized employment in the workforce on the payroll of an employer, unless the person is self-employed, at minimum or prevailing wages and with benefits, where integration and interaction with co-workers without disabilities and customers is assured. Sheltered and supported employment programs traditionally have served relatively few individuals with mental health or substance use disorders, and CSB case management services have not focused on assisting individuals receiving services to obtain

Background employment in integrated community-based settings.
(continued)

State Board Policy 1036 establishes a vision statement to guide the development and operations of the public mental health, developmental, and substance abuse services system. The statement describes the vision of a system of services and supports driven by individuals receiving services that promotes the highest possible level of participation by individuals receiving services in all aspects of community life, including work, school, family, and other meaningful relationships. Since FY 2004, the Community Services Performance Contract Partnership Agreement has contained a Core Value that gaining or maintaining meaningful employment improves the quality of life and is a desired outcome for adults receiving services.

In 2006, the Department adopted *Envision the Possibilities: An Integrated Strategic Plan for Virginia's Mental Health, Mental Retardation, and Substance Abuse Services System* to provide a strategic blueprint for transforming Virginia's publicly-funded services system. This *Plan* affirmed that people with mental health or substance use disorders or intellectual disability are members of the community in which they live and should enjoy the same opportunities for quality of life. The overarching goal of the services system is to provide or assist individuals in obtaining services and supports based on informed choice that would enable them, among other accomplishments, to engage in meaningful activities, including school attendance or work in jobs that they have chosen.

The *Creating Opportunities Implementation Plan: Identifying the Priorities and Actions Needed*, issued in 2011, described the need for an initiative to create employment opportunities for individuals with mental health or substance use disorders or developmental disabilities. Certain interventions are proven to help adults with serious mental illness (SMI) transition from income subsidies to successful competitive employment. In FY 2011, CSBs reported that 18 percent of adults with mental illnesses, 31 percent of adults with substance use disorders, and 14 percent of adults with intellectual disability were employed full- or part-time. The *Implementation Plan* identified two objectives: establish and implement Employment First as the policy of the Commonwealth and expand employment opportunities for individuals receiving services.

Senate Joint Resolution No. 127 states that individuals with intellectual, developmental, and other disabilities have the ability and the desire to seek employment in integrated community settings that provide opportunities to earn competitive wages and benefits and encourage the individual to reach his or her maximum potential, achieve economic self-sufficiency, contribute to the sustainability of our communities, and be treated as equal members of Virginia's workforce. The resolution noted 26 states have implemented Employment First initiatives and Employment First policy is grounded in a framework of increased integration, independence, productivity, and employment that is based on the unique strengths, resources, priorities, abilities, interests, and informed choice of

Background
(continued)

an individual as the desired outcomes of services and supports. Finally, it encourages the Secretary of Health and Human Resources and Superintendent of Public Instruction to adopt and implement Employment First practices in providing and coordinating services to Virginians with disabilities and requests them to disseminate copies of this resolution to their respective constituents so they may be apprised of the sense of the General Assembly in this matter.

The Department of Justice Settlement Agreement addresses employment. It requires Virginia to establish a state policy on Employment First for the target population and include a term in the Community Services Performance Contract requiring application of this policy. Applicable provisions in Section III.C.7 of the Agreement about employment are incorporated throughout this policy.

Purpose

To articulate a policy that supports identifying integrated, community-based employment as the first choice offered among available rehabilitation or habilitation service options and expands employment of individuals receiving mental health, developmental, or substance abuse services.

Policy

It is the policy of the Board that in the development and implementation of policies and procedures and the delivery of services, the Department and CSBs shall ensure that community-based individual supported employment in integrated work settings is the first and priority service option offered by case managers and support coordinators to individuals receiving mental health, developmental, or substance abuse day support or employment services and shall expand access to integrated, community-based employment opportunities for individuals receiving services.

It also is the policy of the Board that the Department and CSBs shall be guided by the following principles in the provision of employment services and supports to individuals receiving services.

- The goal of employment services is to support individuals in integrated work settings where they are paid minimum or competitive wages.
 - Individuals should be active participants in developing their person-centered plans annually, including discussion of integrated, community-based employment services at least annually and inclusion of employment-related goals in individualized services and supports plans.
 - Individuals should contribute to their own support to the extent they are able to do so, for example through becoming employed in integrated, community-based employment services.
 - Day services should be flexible enough to allow even individuals with the most severe disabilities to choose integrated, community-based employment among other day habilitation or rehabilitation services they may need.
 - While full-time employment is the optimal goal for many individuals, their services and supports providers should work with individuals to decide the
-

Policy

(continued)

number hours they want to work and are capable of working.

Further, it is the policy of the Board that the Department shall:

- Provide training and consultation to service providers on implementing evidence-based Supported Employment practice models and establishing integrated supported employment teams that include CSBs, the Department of Aging and Rehabilitative Services (DARS), and employment services organizations (ESOs) and work with CSBs and ESOs to incorporate evidence-based Supported Employment practice models in the day services they offer, including psychosocial rehabilitation;
- Work with the Department of Medical Assistance Services (DMAS) to identify ways to incorporate integrated, community-based employment services in the Medicaid Intellectual Disability and Individual and Family Developmental Disability Services Waivers;
- Work with the DMAS to include coverage for evidence-based supported employment services in Medicaid day support, mental health support, and psychosocial rehabilitation services;
- Maintain a network of representatives from state and local government and private provider agencies, advocacy organizations, and self advocates involved in employment services and issues as a resource for (1) developing employment support models and options and (2) creating a venue for people who are providing employment supports to share information about creating employment opportunities for individuals receiving mental health, developmental, or substance abuse services and supports;
- Maintain its membership in the State Employment Leadership Network; and
- Develop an implementation plan to increase integrated day opportunities for individuals receiving mental health, developmental, or substance abuse services, including supported employment, community volunteer activities, community recreational opportunities, and other integrated day activities.

Finally, it is the policy of the Board that the Department and CSBs shall:

- Establish clear outcome expectations for employment to include annual baseline employment data and specific percentage goals for individuals receiving employment services and remaining in integrated work settings;
- Identify state and local strategies for addressing barriers to employment;
- Include employment of individuals receiving services and expansion of evidence-based supported employment services as performance contract goals and responsibilities and regularly monitor and report on the employment status of individuals receiving services;
- Work with public and private services providers, including ESOs, and employers to expand access to integrated, community-based employment opportunities for individuals receiving mental health, developmental, or substance abuse services;
- Realign the orientation of day services to focus on establishing and sustaining real work opportunities for individuals and expanding integrated, community-based employment supports models that are designed to help

Policy
(continued)

individuals remain employed over the long-term using follow-along and employer support;

- Collaborate with the State Department of Education and local school divisions to promote (1) early transition planning, (2) assessment for and use of appropriate assistive technology, and (3) ongoing involvement of relevant state and local agencies to support integrated, community-based employment;
 - Expand school to work transition programs that expose students to job opportunities and enable them to graduate with jobs in place, and create a model to provide support for individuals interested in developing their own businesses; and
 - Conduct or participate in a statewide awareness and education campaign about Employment First.
-