SCOPE:

County Mental Health/Mental Retardation (MH/MR) Program Administrators
County Mental Retardation Program Coordinators
Base Service Unit Directors

PURPOSE:

The purpose of this bulletin is to clarify the processes related to coordinating vocational training and supported employment for individuals receiving Medicaid 2176 Waiver Services.

BACKGROUND:

The Department of Public Welfare (DPW), received Federal approval to provide a variety of home and community services for persons with mental retardation under the auspices of a Medicaid 2176 Waiver provided by Section 1915(c) of the Social Security Act. The Department's approved waiver applies to individuals with mental retardation who require community services to avoid institutional placement in an Intermediate Care Facility for Persons with Mental Retardation (ICF/MR). Services consist of a wide variety of residential, day, and support services needed by the individual based on his/her plan of care.

In 1987, supported employment and certain vocational training services, which were referred to as "prevocational services" in the Department's waiver application, were added to the scope of habilitation services eligible for Federal Financial Participation (FFP).

PAPER COMMENTS AND QUESTIONS TO:

Appropriate Regional Program Manager
APPLICABILITY:

This bulletin applies to individuals enrolled in the waiver program who receive vocational training and supported employment, regardless of the funding sources of those services. It includes individuals who never resided in an ICF/MR, nursing home or other Medicaid-funded long-term care facility, as well as individuals who have resided in a Medicaid-funded facility. This bulletin does not apply to individuals receiving non-vocational services funded under the waiver, such as habilitation services provided in adult training facilities licensed under 55 Pa. Code, Chapter 2380, or to individuals receiving services under P.L. 94-142.

DEFINITIONS:

For the purpose of this bulletin, vocational training means work experience and training designed to teach job-related skills, as well as personal and work adjustment training designed to develop appropriate worker traits and teach an understanding of the expectations of a work environment. Vocational training services may also include assessments of a waiver beneficiary's vocational potential. These services are provided by facilities licensed under Title 55, Pa. Code, Chapter 2390.

For the purpose of this bulletin, supported employment means paid integrated competitive employment for persons who, because of their disabilities, need intensive on-going support to perform in an integrated work setting and for whom competitive employment at or above the minimum wage is unlikely without on-going supports. Supported employment is conducted in a variety of settings in work sites in which persons without disabilities are employed. Supported employment includes activities needed to sustain paid work by waiver recipients and includes supervision and training and follow-up services.

AGENCY RESPONSIBILITIES:

The Office of Vocational Rehabilitation (OVR), through its District Offices, is the agency with primary responsibility for providing services under the Rehabilitation Act of 1973, including vocational training and supported employment defined above. As the state agency responsible for providing services under the Rehabilitation Act of 1973, OVR is responsible for determining whether individuals are eligible for vocational training and supported employment funded by that agency.

The County Mental Health/Mental Retardation Program is responsible for administering Medicaid 2176 Waiver services as an agent of the Department of Public Welfare, Office of Mental Retardation. Federal requirements under the Rehabilitation Act of 1973 and the Medicaid 2176 Waiver necessitate vocational training and supported employment service coordination between the County MH/MR Program and District Office of Vocational Rehabilitation. This is in accordance with the Department of Public Welfare assurance that individuals do not receive Medicaid 2176 Waiver funding for services that are available under the Rehabilitation Act of 1973, as amended.
Individuals who receive Medicaid 2176 Waiver services should be considered appropriate for referral for vocational training and supported employment funded either by OVR or the Medicaid 2176 Waiver when any of the following conditions are met:

A. The individual desires to find community-based employment, a career or training that will enhance his/her potential for employment.

B. The individual demonstrates skills and abilities that will enhance his/her potential for employment.

REFERAL AND DETERMINATION PROCESS:

The following process has been adopted for individuals who meet the conditions of applicability as indicated in the previous section:

1. In consultation with the individual and the designated OVR counselor, the team responsible for the development of the person's individual program plan considers vocational training or supported employment to be appropriate for the individual. The team then includes vocational training or supported employment in the individual's program plan. If appropriate, the individual's service manager or the county's designated OVR liaison then refers the individual to OVR for these services. If the team determines that OVR-funded vocational training or supported employment are not appropriate for the individual, the team documents that finding in the individual's program plan.

2. When OVR receives a referral of an individual for vocational services or supported employment, OVR initiates an evaluation and prepares an Individualized Written Rehabilitation Plan (IWRP) in accordance with current OVR evaluation procedures. Relevant data from the MH/MR Program should be used for the evaluation and should include the individual's annual assessment and the county's commitment to funding for extended services. To facilitate OVR's evaluation, the county should include, as part of the referral, documentation which substantiates the individual's disability and which provides other information relevant to the vocational evaluation.

3. Due to the time required to complete the evaluation and report, the County Mental Health/Mental Retardation Program may authorize waiver funding for vocational training or supported employment for the individual from the date of referral to OVR until the date that OVR funding is actually made available to the individual. If the individual has resided in an ICF/MR, nursing facility or other Medicaid-funded long-term care facility, the county may authorize waiver funding that includes FFP. Non-FFP funding may be authorized for individuals who do not meet this criterion. A copy of the individual's referral form to OVR must be kept in the individual's file.
4. When OVR completes an evaluation of an individual for vocational training or supported employment, OVR completes and issues, to the responsible County MH/MR Program, the attached determination notice which states whether the vocational training or supported employment services specified in the individual's program plan are currently available under the Rehabilitation Act of 1973, as amended. If services are available, OVR will indicate the start and end dates for OVR funding of these services.

5. Subsequent to receipt of the determination notice from OVR, the County MH/MR Program:

   a. Documents the availability of OVR funding for vocational training or supported employment by including a copy of the OVR determination notice in the individual's record, or

   b. Authorizes community mental retardation funding for vocational training or supported employment when OVR funding is not available.

When OVR funding is not available, FFP under the waiver should be utilized for each waiver recipient who has resided in an ICF/MR, nursing home or other Medicaid-funded long-term care facility. Non-FFP funding can be authorized for individuals who do not meet this criterion. Community mental retardation funds can also be used to provide continued vocational training and supported employment after the term of OVR funding has expired or to provide ancillary services indicated in the individual's program plan which are not funded by OVR. A copy of OVR's determination notice should be maintained in the individual's record whenever community mental retardation funds are being used for vocational training services or supported employment.

Attachment
ATTACHMENT

OFFICE OF VOCATIONAL REHABILITATION DETERMINATION NOTICE
FOR
INDIVIDUALS RECEIVING MEDICAID 2176 WAIVER SERVICES

A. Findings

The District Office of Vocational Rehabilitation, in accordance with Federal and State requirements contained in the Medicaid 2176 Waiver for Individuals with Mental Retardation, issues the following determination regarding:

(Name) __________________________, Social Security Number ____________________.

1. Vocational training services for this individual are _____ are not _____ available through the Office of Vocational Rehabilitation at this time.

2. Supported employment services for this individual are _____ are not _____ available through the Office of Vocational Rehabilitation at this time.

B. Funding

In accordance with the findings contained in this determination notice:

The start date for Office of Vocational Rehabilitation funding for these services is to be ________.

The end date for Office of Vocational Rehabilitation funding for these services is to be ________.

This funding determination is subject to renewal or amendment based on further evaluation.

C. Signature

Signed: ________________________________ Date: __________
Office of Vocational Rehabilitation Representative

Address: ________________________________

_____________________________________

Telephone Number: ____________________