

Frequently Asked Questions: DVR Technical Specifications and Fee Structure

Q1: Job coaching fees and Supported Employment (SE) Assessments - some vendors have had SE Assessment consumers getting 1:1 coaching for a month. We now require 8 hours minimum observation of real work in the community. Can vendors bill for job coaching for the SE Assessment?

A1: The 8 hours of real work observation occurs on a 1:1 basis as part of the Supported Employment (SE) Assessment Fee. The minimum is 8 hours. The team should consider the need for amount of additional hours of work assessments within the SE Assessment. If needed, Job Coaching substantially exceeding 8 hours within the SE Assessment phase may be authorized at the Onsite Job Coaching rate. See the [Supported Employment Assessment and Short-Term Job Tryouts](#) section below.

Q2: Wage subsidies for SE Assessments - one vendor has covered this out of fees. What about Worker's Comp, liability insurance, etc.? DOL exception to wages for short-term assessments? This also applies to Work Experiences (W/E's) or Internships.

A2: DVR's position is that we will not advocate with any agency to change their rules. How an agency or organization such as Workers Compensation or Unemployment Insurance treats DVR Work Experiences is solely the responsibility of that agency or organization. Vendors and employers should not be lead to believe that a DVR Work Experience will be exempt from WC, UI, HUD, W2 or any other program or regulatory requirement.

Regarding wage subsidies for SE Assessments, further guidance is included below under [Supported Employment Assessment and Short-Term Job Tryouts](#).

Q3: Can DVR purchase Job coaching to supplement On-the-Job Training (OJT)?

A3: Yes. On-site Job Coaching may be purchased to supplement an OJT. However, an OJT involves payment to the employer to offset wages so that the employer can provide extra training of the consumer. On-site Job coaching is more likely to occur in combination with a Work Experience or Job Development Hire.

Q4: What about temp to hire situations - if temp agency is the only access to an employer, do we get hire fee? If so, when?

A4: Yes, it its ok to pay a hire fee when a **permanent placement results**. However, this should not be the routine and DVR staff should consider direct referrals to the temporary agency as appropriate.

Q5: If we issue PO's for an SE - Employment & Support Plan and a Supported Employment Assessment at the same time, **are both reports due within 60 days** of the date of the PO?

A5: Not exactly. The ESP is due within 60 days from the initial three-way meeting. The SE Assessment report is due within 60 days of the initiation of the assessment.

Q6: Who handles HIPAA requirements regarding disclosure to employers?

A6: First, the consumer and their team need to discuss the consumer's preference for handling disclosure as well as the pros and cons of disclosure in various situations. Any variations in policy between DVR and the provider should align with this approach.

Q7: Must an Individualized Plan for Employment (**IPE**) be in place **before** we authorize an Employment and Support Plan (**ESP**)?

A7: No. It makes sense when you've got a pretty clear-cut SE case to move as quickly as you can on ESP. All we are doing then is IPE development with the consumer, a vendor and whatever other team members are appropriate. Combining the ESP and IPE process could be highly beneficial to improve the likelihood of a successful employment outcome and DVR might be a little less likely to need any short-term IPE amendments.

Q8: Are Employment Preparation or **Job Seeking Skills** training included in the ESP fee?

A8: Yes, to a certain extent. Employment preparation services such as interview training, job seeking skills training and resume development are part of the overall Job Development and Supported Employment fees. Extensive services that involve a curriculum and training for an extended period may be negotiated with the WDA Director as a separate service.

Q9: Under what circumstances will DVR pay for a **second hire**?

A9: This is a judgment call. Payment of a second hire fee should be handled as an exception and the team should agree on the appropriate action. Factors to consider include the reason for termination or quitting and whether the vendor fulfilled the expectations laid out in the ESP.

Q10: What should be in the **Employment and Support Plan**?

A10: Sample forms are available on the DVR web site. The WDA director should work with area vendors to define ESP report format and content consistent with the Technical Specifications. The involvement of all appropriate team members in the planning process to identify support needs, a list of employers for job development and identification of roles and responsibilities is more important than completing the form "correctly".

Q11: It seems that if there is **no long term funding commitment** from the County at the time of the referral, we proceed with the Supported Employment - Employment and Support plan as well as Supported Employment Assessment (if needed). If long-term support is needed, but not available (through the County, PASS/IRWE, natural supports, employer supports, etc.) and it is determined that the individual needs on-going supports to maintain employment, at what point is the case closed?

A11: Wisconsin DVR Policy Guidance Paper: [Supported Employment Long Term Support \(Extended Services\) Analysis Procedure](http://dwd.wisconsin.gov/dvr/service_providers/default.htm) describes the process to follow on this question. In a nutshell, we make every effort to plan and seek long-term support options (ESP), conduct an SE Assessment of support needs, project the support needs over the long term, and then work as a team toward the decision to continue Supported Employment services or close the file. The Guidance Paper is located at http://dwd.wisconsin.gov/dvr/service_providers/default.htm.

Q12: Previously, a **staffing** was required every 90 days to review the Job development Plan if the consumer had not obtained employment. Now, that seems to have changed to a **60-day window**. Is that correct?

A12: Yes.

Q13: Also, can the "**staffing**" be done via a phone call between counselor and vendor?

A13: Yes, but this should be the exception rather than the rule. A "staffing", "three-way meeting", or "team meeting" should be conducted in person to assure balanced participation and the most effective communication of consumer needs and strategies to address them.

Q14: Is there a **second team meeting** after the initial 3 way meeting when the Employment & Support Plan & formal assessment report (if applicable) are completed?

A14: There are as many meetings as make sense to establish an effective plan leading to the desired employment outcome. If we conduct both a Supported Employment ESP and SE Assessment, there would most likely be at least an initial ESP staffing and then an SE Assessment staffing when that is completed. The second meeting would be to refine the ESP based on the Assessment findings.

Q15: I have a DEAF consumer who reached his 90 days on the job. **The employer, however, indicated many problems on the job** with the consumer. Vendor proceeded to close and collect payment of 90 days hire. I said, no, we should meet to discuss what problems there are on the job.

A15: It was just for situations like this that we made sure to revise the technical specifications to clarify that 90 days is the **minimum** and all DVR case closure criteria must be met. You should not pay until this is achieved.

Q16: Vendor refused to **pay for interpreters**, claiming that VRC was the one who called the meeting. The consumer is working with the vendor and is at risk of losing his job - what responsibility does the vendor have at this point?

A16: DVR's Agreement for Services Attachment #1 States:

2. Americans with Disability Act (ADA) Requirements

As an entity covered by the Americans with Disabilities Act (ADA), it is expected that the Service Provider will assume the responsibilities for all auxiliary aids and other accommodations required consumers to access the services unless undue burden can be demonstrated.

Q17: What kind of **referral information** is appropriate for Job Development and Supported Employment?

A17: Prior to the first Employment and Support staffing, DVR staff will provide pertinent information to the vendor from the DVR case file including the IPE long-term employment goal, work restrictions, work history and other placement considerations along with Job Development referral information. The purpose of referral information is to identify employment barriers in such a way as to provide the most current picture of consumer functioning to the Vendor that is based on mutually identified needs. Sample referral and planning forms are on DVR's website at:

http://dwd.wisconsin.gov/dvr/service_providers/default.htm.

Staff have met this requirement in a variety of ways. Some send casenotes, others send the Functional Assessment Rating form (FAR), while still others summarize the case issues and plans to date. Other DVR staff are sending an initial ESP form to get the process started. The WDA director, DVR staff and vendors, should define this process locally, consistent with DVR policy on confidentiality.

Q18: Some DVR staff asked about contact requirements on the part of the Job Development vendor with the consumer. The tech specs require a minimum of employer contacts during the first week of employment and at 30, 60 and 90 days, but there is no standard for consumer contacts.

A18: The frequency of consumer and vendor contacts should be spelled out as part of the Employment and Support plan along with the responsibilities for employer contacts. The plan is to be reviewed by the team at least every 60 days.

Guidance: Supported Employment Assessment and Short-Term Job Tryouts

Issue: How do we compensate consumers for work done in short-term job tryouts?

Background:

DVR's new technical specifications require a minimum of 8 hours direct observation on a community job site as part of a Supported Employment Assessment. Here is the language we specified:

- Short-term job tryouts - these are paid (subsidized by DVR as needed) brief periods of direct observation and coaching. **A minimum of 8 hours direct observation at one or more job sites is required during the assessment.**
- Job coaching required for the short-term job tryouts is included in the Supported Employment Assessment.

The question arose as to who pays the consumer for work performed during such periods of direct observation. There have been instances where the employer at that work site pays, where the vendor pays and where DVR reimburses either the employer or the vendor.

Guidance:

First, it is always preferable to have the consumer paid by the employer, even as a very limited-term employee. In all cases, the determination for the appropriate arrangement should go back to good Employment and Support Planning practice. That is, the number of work hours needed and the degree of specificity of the work setting desired should be factored in. Some examples may be helpful.

A consumer with significant cognitive deficits and some behavioral challenges seen in a school setting has no work experience and is interested in stocking shelves. As part of the Supported Employment Assessment, the Employment and Support planning team agrees that 4 hours at Dollar General and 4 hours at Home Depot will suffice. The provider has strong working relationships with these two businesses. They are routine work experience sites for this vendor. The vendor has been covering the cost of wage reimbursement and FICA in these situations as part of the Supported Employment Assessment and covers the cost (about \$55) with the SE Assessment fee.

A consumer with significant cognitive deficits is interested in working in ceramics and has some skills in this area, but is not planning to develop their own business. A craft shop that also produces ceramics is chosen as a potential assessment site and the Employment and Support team agrees that 8-12 hours would be sufficient for the consumer, employer and staff to determine the consumer's support needs and possible intervention strategies in this setting. The vendor has not worked with the craft shop previously. In a case like this, it is advisable to see if the employer is willing to reimburse the consumer, but if not, DVR would reimburse the wages to the consumer either through the employer or vendor.

The key in both cases is to focus on the consumer's needs and arrive at a practical solution.

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