

Supported Employment / Long Term Support (LTS)

(Updated May 2013)
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Purpose:

To provide staff with information on supported employment and long term support services, a process for supported employment cases, and answer questions that have been raised. A decision matrix is also included.

Rationale:

The federal regulations and DVR policy have specific requirements and mandatory components for supported employment cases and IPEs.

**For the purpose of this paper the term extended employment also refers to facility based employment and sheltered workshop settings.*

Background Information and Definitions:

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- [Competitive Employment Definition](#)
- [Extended Employment Definition](#)
- [Extended Services Definition](#)
- [Supported Employment Definition](#)
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- [Customized Employment \(CE\) Definition](#)

Extended Employment:

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Providing Supported Employment:

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Items to Consider when Determining Long Term Support needs and Sources

Progress Measures for Supported Employment IPE’s

Long Term Support Decision Matrix

Background Information and Definitions

Mandatory Components of a Supported Employment IPE:

An IPE for an individual with a most significant disability for whom an employment outcome in a supported employment setting has been determined to be appropriate must--

- (1) Specify the supported employment services to be provided by the designated State unit;
- (2) Specify the expected extended services needed, which may include natural supports;
- (3) Identify the source of extended services or, to the extent that it is not possible to identify the source of extended services at the time the IPE is developed, include a description of the basis for concluding that there is a reasonable expectation* that those sources will become available;
- (4) Provide for periodic monitoring to ensure that the individual is making satisfactory progress toward meeting the weekly work requirement established in the IPE by the time of transition to extended services;
- (5) Provide for the coordination of services provided under an IPE with services provided under other individualized plans established under other Federal or State programs;
- (6) To the extent that job skills training is provided, identify that the training will be provided on site; and
- (7) Include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities.

*WDVR defines this as the expectation that the identified long term support source will be available for the consumer to transition to within the 18 month time period outlined in the supported employment definition.

Employment Outcome Definition:

With respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment, as defined in Sec. 361.5(b)(11), in the integrated labor market, supported employment, or any other type of employment in an integrated setting, including self-employment, telecommuting, or business ownership, that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Competitive Employment Definition:

Work--

- (i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and
- (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

Extended Employment Definition:

Work in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act.

Extended Services Definition:

Ongoing support services and other appropriate services that are needed to support and maintain an individual with a most significant disability in supported employment and that are provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds received under this part and 34 CFR part 363 after an individual with a most significant disability has made the transition from support provided by the designated State unit.

Supported Employment Definition:

- (i) Competitive employment in an integrated setting, or employment in integrated work settings in which individuals are working toward competitive employment, consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individuals with ongoing support services for individuals with the most significant disabilities--
 - (A) For whom competitive employment has not traditionally occurred or for whom competitive employment has been interrupted or intermittent as a result of a significant disability; and
 - (B) Who, because of the nature and severity of their disabilities, need intensive supported employment services from the designated State unit and extended services after transition as described in paragraph (b)(20) of this section to perform this work; or
- (ii) Transitional employment, as defined in paragraph (b)(54) of this section, for individuals with the most significant disabilities due to mental illness.

Supported Employment Services Definition:

Ongoing support services and other appropriate services needed to support and maintain an individual with a most significant disability in supported employment that are provided by the designated State unit--

- (i) For a period of time not to exceed 18 months, unless under special circumstances the eligible individual and the rehabilitation counselor or coordinator jointly agree to extend the time to achieve the employment outcome identified in the individualized plan for employment; and
- (ii) Following transition, as post-employment services that are unavailable from an extended services provider and that are necessary to maintain or regain the job placement or advance in employment.

Customized Employment (CE) Definition:

(i) individualized, integrated, paid, community employment based on a negotiated relationship between job seekers and employers in ways that meet the needs of both based on an individualized determination of job seekers' conditions for success, their interests toward an aspect of the job market and their specific contributions, determined by a discovery process and is also designed to meet specific needs of the employer –

(A) For whom competitive employment, including competitive supported employment, has not occurred or for whom competitive employment, including competitive supported employment (SE), has been interrupted or intermittent as a result of significant disability and other life complexities; and

(B) Who have either performed poorly or would be expected to perform poorly on Supported Employment Assessment or Vocational Evaluation and who would benefit from a sequential pre-employment process that results in a negotiated employment relationship ; and

(C) Who, because of the nature and severity of their disability, are not likely to be able to meet the competitive demands set by employers in existing job descriptions even with the provision of supported employment services; or

ii. Individualized, entrepreneurial outcomes such customized self- employment or contract relationships that are individually negotiated to fit the needs of individuals with a disability as well meeting a market or employer need.

For further information on customized employment and additional models of supported employment please see: <http://dwd.wisconsin.gov/dvr/se/default.htm#alternate>

Extended Employment

Is extended employment considered a successful employment outcome?

No. For DVR, extended employment does not meet the definition of an “*employment outcome*”. For consumers or individuals whose employment goal is to work in an extended employment setting, a referral to a local provider should be made.

Can DVR work with individuals who are working in an extended employment setting?

Yes. If an individual working in an extended employment setting is interested in gaining employment that meets DVR’s definition of an “employment outcome”, he/she can apply for and receive services. DVR can also provide services to consumers who obtained employment in an extended employment setting as a job “in the mean time” while looking for a job that meets their goals. DVR can continue to serve these individuals as long as they are working and making timely progress at achieving the benchmarks included in their IPE.

Can DVR provide services in an extended employment setting?

No. DVR consumers are assumed to be capable of competitive employment. Wages and settings of ALL DVR services are provided in a manner consistent with that belief. As needed, DVR can assist on a case by case basis to help identify community based locations for providing these services. Staff must also ensure that any technical specifications that exist for services are followed.

Providing Supported Employment

Are there any required skill levels or preparation an individual must have prior to applying for VR services?

No. DVR does not require a specific skill level prior to application. Such a requirement would not be supported by the Rehabilitation Act or DVR Policy.

A consumer is considered to have applied for VR services when the consumer has met the following three criteria:

- Completed a DVR application signed by the consumer and/or parent/guardian, if appropriate, or otherwise requested services.
- Provided the information necessary to initiate an assessment to determine eligibility and priority for services.
- Is available to complete the assessment process.

What steps should be followed when working with consumers who may need supported employment?

There are several steps to working with consumers through the supported employment process. It is recommended that as much as possible the following steps be completed in the order they are listed.

1. Determination of need for supported employment

2. Exploration of long term support options
3. Development of the supported employment IPE when supports are identified
4. Identification of how best to proceed when long term supports are not identified

Determination of need for supported employment

As appropriate, a supported employment consultation meeting and a supported employment assessment should be completed prior to IPE development to determine the need for supported employment services, the specific type of supports needed, and the specific level of supports the consumer needs. The assessment should take into account the use of natural supports and good job matching to maximize independence. This will also serve to establish a supported employment team that will provide resources to the individual in reaching their goals for employment.

Where possible, specific job tasks should be identified and strategies to address the support needs of each identified task should be incorporated into the assessment process, including the work trial component and report. See the [Supported Employment Technical Specifications](#).

Use of work trials: Work trials can be a great way to determine the consumer's support needs, as well as answer other assessment questions, if there is no existing documentation. As outlined in the Supported Employment Technical Specifications, at least one work trial is required. Additional work trials can be provided if the DVR consumer and DVR counselor determine this is necessary. It is expected that the first work trial will take into account the consumer's skills and preferences. It is anticipated that the need for additional work trials will not be common, but is available on a case by case basis.

Alternate models of supported employment should also be considered including *Customized Employment (CE)*. Customized employment is a way to match a person's abilities to job duties and avoid job duties that would require excessive job coaching. More information on CE and other supported employment models can be found at: <http://dwd.wisconsin.gov/dvr/se/default.htm#alternate>

If due to the length of the assessment process the IPE will not be developed within 90 days, the extension process should be utilized.

Exploration of long term support options

Through completion of the consultation meeting and supported employment assessment the consumer's long term support needs should have been clearly identified (how much support is needed and with what types of tasks). Based on this **ALL** possible sources of LTS should be explored to meet those needs and documented in the consumer case file. In some cases a combination of supports may be used to best meet the consumer's needs.

Some of the possibilities include:

- County of Residence
- Family Care
- IRIS
- Private pay (e.g. consumer contribution, Trust, etc.)
- Family (e.g. family provides coaching, family pays for supports, etc.)
- PASS Plan

- IRWE
- Use of existing supports (e.g. nurse, personal care attendant, community support organization, etc.)
- Natural supports (e.g. supervisor, co-workers) etc.
- Volunteers or retirees
- College students serving an internship
- Funding through grants or donations by community organizations

Natural supports can be a great option for some consumers to achieve their employment goals but it should *not* be expected that this strategy will be successful in all cases. If the consumer, counselor, and team are considering natural supports as an option to meet the consumer needs there should be a clear understanding of what the consumers needs are, what the best job match would be, and how they feel natural supports could successfully meet those needs before proceeding with it as an option for long term support.

Please note: When working with Family Care, IRIS, etc. we should coordinate how and when the LTS services should be implemented and identified in their corresponding service plans for consumers in those programs.

Use of Benefits Analysis: A [Benefits Analysis](#) may be utilized, as needed, to assist in exploring long term support options. A benefits analysis will identify work incentives that an individual may access to assist with job retention.

Development of the supported employment IPE when long term supports are identified

If supported employment is identified as needed and the source(s) of long term support are identified, or there is a reasonable expectation that the source(s) will become available including natural supports, a Supported Employment IPE should be developed. The IPE should outline the services needed and provider of those services.

A consumer's IPE should include progress measures that once met will clearly identify when transitioning to long term support should occur. Please refer to the [Supported Employment Technical Specifications](#) for additional details.

Identification of how best to proceed when long term supports are not identified

The consumer should clearly understand that if a source of long term support is not found or there is not a reasonable expectation that the source(s) will become available, including natural supports, that DVR is not able to provide long term services.

In these cases there should be a discussion on how best to proceed with the counselor, consumer, and consumer representative as appropriate. A review of the assessment should be done to determine if the consumer can reasonably be expected to retain employment without long term support. There should also be verification that all sources for possible support have been ruled out.

If it is agreed that pursuing competitive employment is not appropriate at this time, due to lack of long term support, the consumer and consumer's representative, as appropriate, should be provided with referral information that may be of assistance to him/her (e.g. referral to an

extended employment setting). *These cases should be submitted for supervisor review prior to case closure to ensure all options have been explored.* The DVR file would then be closed after full consultation is provided to the consumer.

Closure coding: These cases should be coded as *Extended Services Not Available*. If the consumer chooses to have their case closed at any point in the process it should be coded as *Refused Services or Further Services*. See the Coding Manual for further information.

Please note: A lack of long term support resources does not mean an individual is too severe to benefit from services. It simply means a lack of long term support resources at this time. A case cannot be closed *Disability Too Significant to Benefit from VR Services* from applicant status. If at any other time in the process it appears the consumer will not be able to benefit from services, an IPE should be written to assess this. Only after a variety of work experiences over a sufficient period of time result in clear and convincing evidence that the individual is incapable of benefiting from vocational rehabilitation services in terms of an employment outcome can a case be closed. No one assessment strategy alone can result in clear and convincing evidence. See the DVR Policy Manual for further information.

Transitioning to Long Term Support

When would a case be transitioned to the identified LTS source?

Transitioning should occur to long term supports as quickly as possible. DVR can provide up to 18 months of support, although this level of need is rare. The assessments should provide the information necessary to ensure a good job match and to reduce the need for job coaching support, while maximizing independence.

A consumer's IPE should include progress measures that once met will clearly identify when transitioning to long term support should occur. This transition will typically occur when a consumer is stable on a job (met the IPE progress measures), as identified and agreed to in the IPE and has received the services identified in the IPE. The consumer, counselor, consumer's representative, and LTS provider, as well as other team members, should agree on the timeframe for transitioning to the LTS.

When would a consumer be considered "stable" on a job?

A consumer is considered stable on a job when he/she has met the agreed to level of stability as identified by the team and agreed to in the IPE progress measures. While further independence and progress may still be made, the consumer has learned the job, and is performing at a level with supports where he/she is able accurately complete the required job tasks in the timeframe agreed upon with the employer, and maintain employment.

What is the maximum amount of ongoing support DVR can provide?

DVR can provide ongoing supported employment services for a period of time not to exceed 18 months. Under special circumstances (e.g. We have identified an ongoing LTS provider, that will now not be available until a month or two beyond our 18 mo. limit) the consumer and counselor may jointly agree to extend the time beyond 18 months, to achieve the employment outcome identified in the IPE. While 18 months is usually the maximum time period, this level of

need is rare. The assessments should provide the information necessary to ensure a good job match and to reduce the need for job coaching support, while maximizing independence. Keep in mind, that transitioning to the LTS should occur as soon as the consumer reaches the agreed to stability on the job.

Customizing the job duties may be another way to address specific duties that are not a good fit with the individual’s abilities and interests and reduce the dependence on job coaching.

When can I close a case successfully in supported employment?

A supported employment case can be closed a minimum of 90 days after the case has been transitioned to the long term support and after all services agreed to in the plan have been provided.

What if after successful closure a LTS consumer comes back to DVR for services?

A consumer closed successfully receiving LTS can come back to DVR for needed services just as any other consumer can. If post employment services are not appropriate the consumer would need to reapply for services and be determined eligible. When providing services, DVR would provide only services that are necessary and appropriate for the achievement of the IPE goal. Comparable benefits would be considered and explored as in all other cases.

Items to Consider when Determining Long Term Support needs and Sources:

How much long term support (hours) will the consumer need per month at time of transition to extended services?
How many hours is the consumer expected to work per month?
What is the consumer’s expected hourly wage?
What is the consumer’s expected monthly earned income?
How much is the employer willing to commit to natural (unpaid) support for this consumer (hours per month)?
How much is the employer willing to commit to paid supports (through tax credits) for this consumer (dollars per month)?
How many hours of paid support is the employer willing to commit to this consumer?
What is the average cost of job coaching for extended services?
What is the expected cost of extended services per month?
How much is the County of Residence or Managed Care Organization, as appropriate, willing to commit to extended services for this consumer (hours per month)?
Is the consumer willing and able to contribute to the cost of extended services through an IRWE, PASS plan, income, other sources (dollars per month)?
How much is the consumer’s family able to contribute to the cost of extended services (dollars per month)?

Progress Measures for Supported Employment IPE's:

When developing progress measures for supported employment plans it can be helpful to keep the following points in mind:

- Progress measures for all IPE's should be developed and agreed to with the consumer and other team members involved in the case, as determined appropriate.
- Progress measures should assist everyone in the process know where the consumer needs to get and by when.
- Progress measures for all IPE's should follow the "SMART" acronym:
 - **Specific**
 - **Measurable**
 - **Achievable**
 - **Realistic**
 - **Timeframe**

Examples:

By October 31, 2008, I will learn to perform my assigned job tasks at 123 Store correctly 90% of the time as reported by the employer

After 2 months on the job, I will be able to take the bus back and forth to work by myself.

By August 2008, I will be able to work my scheduled hours per day with no more than 3 reminders to stay on task as reported by my job coach.

Long Term Support Decision Matrix

