

## Supported Employment – Individual

### NFOCUS Service Code

#### TBI Employment Individual Support 2207

### Service Definition

Supported Employment – Individual is a service for participants of the HCBS Traumatic Brain Injury (TBI) Waiver. It provides one-to-one support for a participant to maintain their current employment.

Services are aimed at helping participants meet personally identified goals for refining employment-related skills, building a network of positive natural supports, and meeting their career goals. The outcome of this service is the continuation of already established paid employment, in an integrated setting in the general workforce, particularly at work sites where people without disabilities are employed.

### Conditions of Provision

- A. The need for this service must be identified during participant assessment and included in the participant's person-centered plan (PCP).
- B. The PCP must document:
  - 1. The need for Supported Employment – Individual service;
  - 2. The reasons to continue employment support;
  - 3. The number of service hours needed; and
  - 4. The written plan of outcomes for reducing and terminating service.
- C. The provider is responsible for creating monthly summary reports that include progress, or lack of progress, and movement towards independent employment without support. The provider must make the reports accessible to the Service Coordinator.
- D. At least monthly the Service Coordinator and participant will monitor the participant's PCP. This includes monitoring the use or non-use of waiver services.
- E. Personal care and assistance with activities of daily living (ADLs) are not components of this service.
- F. Volunteer work is not a component of the service.
- G. Services are provided at the place of the participant's competitive integrated employment.
  - 1. Locations must be non-disability specific and meet all federal standards for home and community-based settings.
  - 2. This service cannot take place in licensed facilities, or any type of facility owned or leased, operated, or controlled by a provider of other Medicaid waiver services.
  - 3. Unless the support is to maintain a customized home-based business.
- H. This service includes activities needed to maintain paid work by the participant and is designed to maintain or advance employment.
- I. A participant must be 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 a person without a disability.

1. Income from a participant's customized home-based business is not required to match the minimum wage requirements of other employment.
- J. This service may be used to refer the participant to an employment network that provides benefits planning such as:
  1. Ticket to Work;
  2. Work Incentive Planning and Assistance (WIPA) services; and
  3. Other qualified employment service programs,
- K. Supported Employment – Individual may be authorized in combination with Community Connections and Supported Employment – Follow-Along, but the services cannot be provided and billed at the same time.
- L. This service is not authorized during school hours set by the local school district for participants eligible for school services.
  1. This limitation includes any and all public education programs funded under the Individuals with Disabilities Education Act (IDEA).
  2. Regular school hours and days apply for a participant who receives home schooling.
- M. For participants aged 18 through 21 years old, documentation must be kept in the participant's file stating the service is not available under a program funded under section 110 of the Rehabilitation Act of 1973 (Vocational Rehabilitation Services) or the IDEA (20 U.S.C. 1401 et seq.). Documentation must include that the participant is on the Vocational Rehabilitation Services waitlist, and the service is not available due to the program's waitlist.
- N. Federal financial participation cannot be claimed for incentive payments, subsidies, or unrelated vocational training expenses such as:
  1. Payment made to an employer to encourage or subsidize the employer's participation in a supported employment program;
  2. Payment passed through to users of supported employment programs; or
  3. Payment for training not directly related to a participant's supported employment program.
- O. Supported Employment – Individual may be provided by a relative, but not a person legally responsible for the participant.
- P. This service must not overlap with, replace, or duplicate other comparable services provided through the Medicaid state plan, other HCBS waiver services, or Vocational Rehabilitation.
- Q. A participant must be referred for Vocational Rehabilitation services before this TBI Waiver service can be authorized.

## Provider Requirements

- A. All providers of waiver services must:
  1. Be a Medicaid provider;
  2. Comply with all applicable Titles of the Nebraska Administrative Code and Nebraska State Statutes;
  3. Adhere to standards described in the Division of Medicaid and Long-Term Care Service Provider Agreement;
  4. Complete DHHS trainings upon request; and
  5. Use universal precautions.
- B. TBI Waiver providers must complete DHHS-approved TBI training before providing Supported Employment – Individual.
- C. Providers of Supported Employment – Individual must obtain adequate information on the medical and personal needs of each participant and observe and report all changes to the Service Coordinator.

- D. A provider may be an individual or agency.
- E. Each agency provider must:
  - 1. Employ staff based on their qualifications, experience, and demonstrated abilities;
  - 2. Provide training to ensure staff are qualified to provide the necessary level of care;
  - 3. Agree to make training plans available to DHHS; and
  - 4. Ensure adequate availability and quality of service.
- F. A provider of this service must:
  - 1. Complete all provider enrollment requirements.
  - 2. Provide training to ensure that staff are qualified to provide the necessary level of care.
  - 3. Agree to make training plans available to the Department.
  - 4. Ensure adequate availability and quality of service.
- G. All staff providing this service must have the necessary education and experience, and provide evidence upon request:
  - 1. Bachelor's degree or equivalent coursework/training in education, psychology, social work, sociology, human services, or a related field; OR
  - 2. Have four or more years of professional experience in the provision of habilitative services for persons with intellectual or other developmental disabilities (IDD), or in habilitative program writing and program data collection/analysis, or four or more years of life experience in teaching and supporting an individual with IDD; OR
  - 3. Have any combination of education and experience identified above equaling four years or more.
- H. A provider of Supported Employment – Individual cannot be the employer of the participant receiving the service.

## Rates

- A. Rates for Supported Employment - Individual services are established by DHHS and may change annually.
- B. Supported Employment – Individual is reimbursed at an hourly unit.
- C. When the service is provided at a worksite where people without disabilities are employed, payment is made only for the adaptations and coaching required by the participant because of their disability.
  - 1. It does not include payment for supervisory activities rendered as a normal part of the business setting.
  - 2. The employer is still responsible for all routine and ordinary employment matters.
- D. Waiver funds cannot be used to pay or increase a participant's wages.
- E. Transportation required during the provision of Supported Employment – Individual is included in the rate.
- F. Transportation to and from the employment site is not included in the rate.