



Iowa Department of Human Services

Medicaid HCBS Employment Service Administrative Rules

Overview

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Part 1: Introduction and Background 3 min

- Who’s impacted?
- Vision & Outcome
- What is “employment”? Why employment?


Part 2: Overview of changes 5 min

- Rate model & Fee schedule
- Person flow model

Part 3: Detail of changes 20 min

- Ch. 77 Provider Qualifications
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- Ch. 79 Rates
- Ch. 83 Waiver Services-Eligibility

Part 4: Q & A 15 min



Part 1

Introduction and Background



Iowa's Employment Vision

“Employment in the general workforce is the first priority and the expected and preferred outcome in the provision of publically funded services for all working age Iowan's with disabilities.”

Goal: Increase the array and quality of employment supports and services available to lowans with disabilities.

Outcome Goal: A service and funding system that is individualized and flexible over the person's employment lifecycle and that coordinates the use of all available resources toward individual jobs.

Employment, Integrated Community Employment:

Work (including self-employment) for which an individual is **paid** at or above minimum wage and not less than the customary wage and level of **benefits** paid by the employer for the same or similar work performed by employees who are not disabled, where the employee **interacts** with other persons who are not disabled to the same extent as others who are in comparable positions, and that presents **opportunities** for advancement that are similar for those who are not disabled.

Why employment?

- People with disabilities can work and want to work!
- Younger members and their families demand it!
- Integrated community employment is **cost effective** for individuals (increased earnings, self-sufficiency) and the State (reduced Medicaid costs).
- National activity and underpinnings...
 - **CMS**: employment services guidance, and settings rules
 - **US-DOJ**: recent ADA and Olmstead enforcement actions in VA, RI, OR...
 - **US-DOL**: Workforce Innovations and Opportunity Act, Fair Labor Standards Act 14c/sub-minimum wage review
- *Because it works!*

Part 2

Overview of Changes

What do these Rules do?

- Revise **service definitions** to match CMS
- Change **reimbursement** to Fee schedule
- **Redistribute** Medicaid resources from facility based to community based services
- Assist providers to **increase the array and quality** of individual employment supports and services.

- The rules include prevocational services as a “**wrap-around**” to other services, to “**keep a person whole**”
- Align DHS -- IVRS policy and funding protocols
- All services lead to Long Term Job Coaching
- The tiers are designed to encourage “**fading**” of professional support over time

Part 3

Detail of Changes

Chapter 77

Provider Qualifications

Prevoc & Individual Supported Employment Provider Standards

Additions to **77.25 (8)e**, and **77.25(9)g**:

- requires payroll functions to comply with state and federal laws & regulations, including WIOA.
- **77.25(8) f.(1), (2), and (3) and 77.25(9) i.(1), (2), and (3)** requires additional specific direct support staff qualifications for staff providing prevocational, individual, small group, & LTJC, including CES & CDS trainings; for ISE includes educational requirements + Employment Specialist & Job Coaching trainings

Staff Qualifications

Staff Qualification Standard	Staff		
	Prevocational	Individual SE	LTJC & Small Group SE
Age 16 with line-of-sight supervision	✓	✗	✗
Age 18	✓ for Direct Support	✓	✓ for Direct Support
HS Diploma/GED	✓	✗	✗
Associate degree, or HS Diploma/GED +6-months' experience	✗	✗	✓
Bachelor's degree or commensurate experience	✗	✓	✗
9.5 hours employment service training from ACRE or Direct Course within 6 months of hire or November 2016	✓	✗	✓
Nationally recognized Certification as employment specialist	✗	✓	✓
4 hours CEUs/year in employment services	✓ ✗	✓	✓

Provider Training

- DirectCourse is available to all Iowa HCBS providers at no charge through IACP, regardless of IACP membership
- See directcourse@iowaproviders.org or visit www.iowaproviders.org and click on “DirectCourse”
- Iowa-APSE offers ACRE approved Community Employment Services Training at least four times annually
- See <http://www.iowa-apse.org/>

Chapter 78

Service Definitions and Time Limits

Added Definitions

Amended 78.27 (1) with definitions for:

- Benefits education
- Career exploration
- Career plan
- Customized employment
- Individual employment
- Individual placement and support
- Integrated community employment
- Supported employment
- Supported self-employment
- Sustained employment

Prevocational Services

Major Changes

- Adopted CMS' definition and activities
- New Fee-for-service rate
- Staff ratios
- Reauthorization requirements
- Members must engage in Career Exploration
- Members who don't want to pursue integrated employment will eventually transition
- Allows prevocational service as wrap-around for those engaged in or seeking employment
- Time-limited-service when member is not engaged in job development

Prevocational Services

78.27(9)-Habilitation, 78.41(13)-ID, and 78.43(11)-BI

- Changed the entire section to:
 - Comply with CMS guidance on definitions and settings
 - Added Career Exploration as an activity
 - Describe the outcome as Individual Employment
 - Set the time limitations for prevocational service and documents the exceptions to the time limits –
78.27(9) e (1), 1- 6 and e (2).

Prevocational Service Time Limits for New Members

•78.27 (9) e (1)... 24 month limit with exceptions for:

- working or actively looking for work (individual or small group)
- on a waiting list or denied for SE
- unsuccessful in obtaining employment x18months
- currently in Career Exploration

Prevocational Service Time Limits for Current Members

- 78.27 (9) e (2): 90 day limit beyond the completion of career development, unless e (1) applies
 - Prevocational services can continue as a wrap-around service *if* you are working or actively seeking work per your service plan
 - Prevocational services as a wrap-around service may be extended per **78.27(9) e (1), 1- 6**
 - If you choose **NOT** to pursue employment after Career Exploration, you have 90 days to eliminate prevocational services from your service plan



SEE Pp19-20 Service Authorization Decision Trees

Supported Employment Major Changes

LT Job Coaching

Individual Supported Employment

Group Supported Employment

- 15 min units
- New FFS rate
- Activities to obtain a job are covered under both individual and group employment supports

Supported Employment Major Changes

78.27(10)-Habilitation, 78.41(7)-ID, and 78.43(4)-BI

New rule entirely replaces old rule with 6 subsections:

- Individual Supported Employment
- Long Term Job Coaching
- Small Group Supported Employment
- Service requirements
- Limitations
- Exclusions

“Time on behalf of” members is now billable

Individual Supported Employment

- Replaces Job and Employer Development and Enhanced Services
- Incorporates desired outcomes and settings
- Lists strategies and activities which can be part of the service
- Specifically talks about self-employment

CMS Definition & Activities Individual & Small Group Supported Employment:

1. Benefits education
2. Career exploration
3. Employment assessment
4. Assistive technology assessment
5. Trial work experience
6. Person-centered employment planning
7. Development of visual/traditional résumés

8. Job-seeking skills training and support
9. Outreach to prospective employers on behalf of the member
10. Job analysis
11. Identifying and arranging transportation
12. Career advancement services
13. Reemployment services (if necessary)
14. Financial literacy and asset development
15. Other employment support services deemed necessary

16. Systematic instruction and support during initial on-the-job training including initial on-the-job training to stabilization

17. Engagement of natural supports during initial period of employment

18. Assistive technology solutions during initial period of employment

19. Transportation of the member during service hours

20. Initial on-the-job training to stabilization

Long Term Job Coaching

- Describes outcome and setting
- Outlines service activities and the goal of “fading”
- Describes service activities
- Specifically describes service for self-employment

Small Group Supported Employment

- Group size = 2-8
- Outcome goal is to move to individual employment
- Activities similar to other sections
- 15-minute unit
- Payment Tier 1 = Groups of 2-4
- Payment Tier 2 = Groups of 5-6
- Payment Tier 3 = Groups of 7-8

Service requirements, limitations, and exclusions

These are re-statements of current rule:

- Personal care may be a component
- Activities on behalf of cannot be the entire service
- Concurrent services
- Integration requirement
- Compensation of the member
- Monthly cost caps

Chapter 79

Reimbursement Rules and Rates

FFS Reimbursement Rates

- Habilitation (79.1 (2), 4 + 5) and ID and BI (79.1 (2), 19 + 23) are now the same
- Rescinded and replaced with reference to the fee schedule discussed earlier in this presentation
- States the combined monthly limits for all supported employment services
- Converts all reimbursements to the fee schedule
- Provides a reimbursement rate for all services

Reimbursement rules

- **79.1 (15)** Amended to remove supported employment enhanced job search activities from the retrospectively limited prospective rates
- **79.1 (24) (a)(4), (5) and (6)** Rescinded these subrules which described units of service which are no longer applicable

New Rates and Procedure Codes/ Modifiers Effective July 1, 2016

Service/Activity	New Code	Basis	Unit	Rate
Prevocational Hourly	T2015	Fee Schedule	Hourly	\$10.00
Career Exploration (New Service)	T2015 U3	Fee Schedule	Hourly	\$38.27
Supported Employment Individual Long term Job Coaching:				
Tier 1 = 1 Contact / Month	H2025 U4	Fee Schedule	Month	\$67.67
Tier 2 = 2-8 Hrs./Month	H2025 U3	Fee Schedule	Month	\$361.58
Tier 3 = 9-16 Hrs./Month	H2025 U5	Fee Schedule	Month	\$722.15
Tier 4 = 17-25 Hrs./Month	H2025 U7	Fee Schedule	Month	\$1,129.18
Tier 5 = 26+ Hrs./Month \$44.71/hr	H2025 UC	Fee Schedule	Hour	\$45.16
Supported Employment - Small Group				
Tier 1 = Groups of 2-4	H2023 U3	Fee Schedule	Per person, 15-min unit	\$2.84
Tier 2 = Groups of 5-6	H2023 U5	Fee Schedule	Per person, 15-min unit	\$1.77
Tier 3 = Groups of 7-8	H2023 U7	Fee Schedule	Per person, 15-min unit	\$1.26
Supported Employment Individual Supported Employment	T2018 UC	Fee Schedule	Hourly	\$66.13

Chapter 83, Eligibility

Preamble: Added “including support for persons to seek and maintain employment in the community.”

83.61 (1)-ID and 83.82 (1) BI:

Amended in ID, added to BI:

- Excludes services available from IDEA or Section 110 of the Rehab Act
- Requires a documented individual employment goal *and* an informed choice process.



Guidebook

Encourages people to pursue integrated employment

Links for professional development, people with disabilities, family members, providers, businesses, including:

- Webinars on Customized Employment
- Videos on the benefits of employment
- Success stories
- Myth Busting & FAQs

Questions and Comments

Links to On-Line Resources

Iowa Administrative Rules -Department of Human Services

<https://www.legis.iowa.gov/law/administrativeRules/chapters?agency=441&pubDate=06-08-2016>

IME HCBS Website – Employment Guidebook and FAQ for Prevocational and Employment Services

<https://dhs.iowa.gov/ime/members/medicaid-a-to-z/hcbs/waivers>

Iowa's E1st Guidebook

<http://www.ivrs.iowa.gov/cesframeset.html>

LEAD Center Policy Brief on WIOA

<http://www.leadcenter.org/resource-center/publication/lead-center-policy-brief-summary-major-policies-included-titles-i-and-iv-workforce-innovation-and-opportunity-act>

MHDS Employment Web Page

<http://dhs.iowa.gov/mhds/disability-services/employment>

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